

# STANDING ORDERS FOR REGULATING THE BUSINESS OF THE HOLYHEAD TOWN COUNCIL

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## **STANDING ORDERS FOR REGULATING THE BUSINESS OF THE HOLYHEAD TOWN COUNCIL**

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### **ANNUAL MEETING**

1. The Council shall in every year, hold an Annual Meeting, which shall take place during the month of May.
2. An ordinary meeting of the Council shall be held in each month provided that the Council shall be empowered to exclude the month of August or any other appropriate period for a vacation or recess if they so desire.

### **3. EXTRAORDINARY MEETINGS**

- (1) The Mayor of the Council may call a meeting of the Council at any time.
- (2) If the Mayor refuses to call a meeting of the Council after the requisition for that purpose signed by two members has been presented to him/her, or if without so refusing, the Mayor does not call a meeting within seven days after such requisition has been presented to him/her, any five members, or one fourth of the whole number of members of the Council, whichever is the less, on that refusal or on the expiration of seven days, as the case may be, may forthwith call a meeting of the Council.

4. ELECTION OF MAYOR

The Mayor of the Council shall be elected annually by the Council from among the Councillors of the community. The Mayor shall, unless he/she resigns or ceases to be qualified or becomes disqualified, continue in office until his/her successor becomes entitled to act as Mayor. During his/her term of office the Mayor shall continue to be a member of the Council, notwithstanding the provisions of the Local Government Act, 1972, relating to the retirement of Community Councillors.

5. DEPUTY MAYOR

The Council shall, at the Annual Meeting, appoint a member of the Council to be Deputy Mayor. The Deputy Mayor shall, unless he/she resigns or ceases to be qualified or becomes disqualified, hold office until immediately after the election of a Mayor at the next Annual Meeting of the Council, notwithstanding the provisions of the Local Government Act, 1972, relating to the retirement of Community Councillors.

Succession from the post of Deputy Mayor to that of the Mayor of the council will be automatic provided that during his/her term of office as Deputy Mayor his/her behavior had not in any way brought the council into disrepute.

Subject to these Standing Orders, anything authorized or required to be done by or before the Mayor, may be done by, to or before the Deputy Mayor, in the absence of the Mayor.

6. COUNCILLORS

All Councillors during their term of office will be bound by the National Code of Local Government conduct.

7. ACCEPTANCE OF OFFICE

(1) Neither the Mayor of the Council nor any councillor shall unless he/she has made a declaration of acceptance of office in a form prescribed by the Welsh Government, and the declaration has within two months from the day of election been delivered to the Clerk of the Council, act in the office except for the purpose of taking such a declaration.

(2) If such declaration is not made and delivered to the Clerk of the Council within the appointed time, the office of the person elected shall at the expiration of that time become vacant.

8. RESIGNATION

A person elected to any office under the Local Government Act, 1972, may at any time resign his/her office by writing, signed by him/her and addressed and delivered to the Chair of the Council, and his/her resignation shall take effect upon the receipt of the notice of resignation by the Chair of the Council. The Chair of the council will inform the clerk to the council on receipt of the letter and the clerk to the council will sign and time and date the letter as proof of receipt.

9. VACANCY BY ABSENCE

If a member of the Council fails through a period of six months to attend any meeting of the Council, he/she shall, unless the failure was due to some reason approved by the Council, cease to be a member of the Council. Provided that attendance as a member at a meeting of any Committee, or sub-Committee of the Council or at a meeting of any Joint Committee, Joint Board or other Body to which any of the functions of the Council have been delegated or transferred shall be deemed for the purpose of this Order to be attendance at a meeting of the Council.

10. NOTICE OF MEETINGS

Three clear days at least before a meeting of the Council:

(1) Notice of the time and place of the intended meeting shall be published at the offices of the Council, and where the meeting is called by members of the Council the notice shall be signed by two members and shall specify the business proposed to be transacted at, and

(2) A Summons to attend the meeting specifying the business proposed to be transacted thereat, and signed by the Clerk of the Council shall be served upon every member of the Council:

Provided that want of service of the Summons on any member of the Council shall not affect the validity of a meeting.

11. CHAIRMAN OF THE COUNCIL MEETING

At a meeting of the Council, the Mayor of the Council, if present, shall preside. If the Mayor of the Council is absent from a meeting of the Council, the Deputy Mayor of the Council, if present, shall preside. If the Mayor and Deputy Mayor are both absent from a meeting of the Council, such Councillor as the members of the Council present shall choose shall preside.

12. QUORUM COUNCIL

Subject to the provisions of Part VI of the 12th Schedule to the local Government Act, 1972, no business shall be transacted at a meeting of the Council, unless at least one-third of the whole numbers of members of the Council are present thereat.

Provided that in no case shall a larger quorum than six be required.

13. THE PUBLIC AND PRESS

1. Representatives of the Press and public shall be admitted to the meetings of the Council subject to Fire Regulations in terms of capacity: Provided that the Council may temporarily exclude the public and such representatives from a meeting as often as may be desirable at any meeting when in the opinion of a majority of the members of the Council present at such a meeting, expressed by resolution, in view of the special nature of the business then being dealt with or about to be dealt with such exclusions is advisable in the public interest and at all times when staff issues are being discussed. Recording of meetings is allowed by Councillors or members of the public if it is declared at the start of the meeting and a copy is provided to the Council
2. The Council shall allow up to 5 questions at a meeting of Full Council. The questions must be sent no later than 5 days prior to the scheduled meeting. Only the Mayor or Chairperson shall answer the questions on behalf of the Council, said question will not be open for debate.

14. RECORD OF ATTENDANCE

The names of the members present at a meeting of the Council shall be recorded. Each member shall sign the attendance sheet.

15. DECISIONS

Subject to the provisions of any enactment all acts of the Council and all questions coming or arising before the Council shall be agreed by a majority of the members of the Council present and voting thereon at a meeting of the Council. In the case of equality of votes the person presiding at the meeting shall have a second or casting vote.

16. MODE OF VOTING

The mode of voting at meetings of the Council shall be by the show of hands, or by ballot (if the Council decide that it is advisable to do so) and on the requisition of any member of the Council accompanied by six (6) other members of the Council the voting on any question shall be recorded to show whether each member present and voting gave his/her vote for/against the resolution.

The name of any member present but not voting shall, on such requisition, also be recorded.

The Chairman shall ascertain the members voting for or against any question and his/her declaration as to the result shall be conclusive.

17. ORDER OF BUSINESS

An Agenda shall accompany every notice to members of the meeting of the Council and shall reach their addresses three clear days before the meeting.

18. NOTICE OF MOTION

(a) Notice of every other motion shall be in writing and signed by the member or members of the Council giving the notice.

It shall be delivered to the office of the Clerk of the Council and shall be open to the inspection of every other member of the Council. A notice of motion which shall not have been received by the Clerk at least nine days prior to a meeting of the Council shall not be specified in the summons for such meeting.

If a motion, notice of which is specified in the summons, be not moved, either by the member who has given the notice or by some other member on his/her behalf, when it comes in due course, it shall, unless postponed by leave of the Council be treated as abandoned and shall not be moved without fresh notice.

(b) No motion to rescind any resolution which has been passed within the preceding six months, nor any motion to the same effect as any motion which has been negatived within the preceding six months, shall be in order, unless the notice shall thereof have been given and specified in the summons, and the notice shall bear, in addition to the name of the member who proposes the motion, the names of five other members; and when any such motion has been disposed of by the Council, it shall not be competent for any member to propose a similar motion within a further period of six months.

This order shall not apply to motions which are moved by the Mayor or member of a Committee in pursuance of the Report of such Committee, and a Council resolution can be rescinded if a Committee recommendation to that effect is adopted by the Council.

19. MINUTES

As soon as the Minutes have been read, the Chairman shall put the question that the Minutes of the Council held on the blank day of blank, be signed as a true record. No motion or discussion shall take place on the Minutes, except upon their accuracy and any question of accuracy shall be raised, or if it is raised, then as soon as it has been disposed of, the Chairman shall sign the Minutes.

20. RULES OF DEBATE

(1) A motion or amendment shall not be discussed unless it has been proposed and seconded and unless notice of motion has already been given in accordance with Standing Order 18, 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.

(2) A member shall stand while speaking at a meeting of the Council and shall address the Chairman. If two or more members rise, the Chairman shall decide the order in which they shall speak.

(3) A member shall direct his speech directly to the motion under discussion or to a motion or amendment to be proposed by him or to a point of order.

(4) Whenever the nature and wording of a motion reasonably permits, an amendment shall be either to: (a) leave out words (b) leave out words and insert or add others (c) insert or add word; but such omission or insertion shall not have the effect of introducing a materially new proposal into or of merely negating, the motion before the Council. The Chairman may, however, accept an amendment in any other appropriate or convenient form provided it is directly relevant to the motion and not in substance a negative thereof.

(5) The question of relevancy shall be determined by the Chairman.

(6) If an amendment is rejected, other amendments may be moved on the original motion.

(7) If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

(8) A further amendment shall not be moved until the Council shall have disposed of every amendment previously moved: This shall not prevent a member giving to the Chairman advance notice of his intention to move a further amendment and the nature thereof prior to the vote being taken on the amendment before the meeting.

(9) A member shall not speak more than once on any motion except to move a further amendment or more than once on any amendment except:

(a) To give notice under sub-clause (9)

(b) In the exercise of the right of reply under Standing Order 22

(c) On a point of order

(d) By way of explanation under sub-clause (12) hereof

(e) To move any of the resolutions mentioned, in the next sub-clause or,

(f) To move a resolution accepted by the Chairman regarding any of the matters dealt within Standing Orders 21 and 23

These restrictions shall not operate when the Council has resolved into Committee under Standing Order 24.

10. A member may at the conclusion of a speech of another member move without comment (a) "that the question be now put" (b) "that the debate be now adjourned." (c) "That the Council proceeds to the next business." (d) "that the Council now adjourn." on the seconding of which the Chairman shall (if in his opinion the question before the meeting has been reasonably and fairly discussed or he/she considers that the circumstances justify such a motion and subject to the right of reply under Standing Order 22) put that motion to the vote.

If it is carried,

(a) The question before the meeting shall be put to the vote

(b) The subject or the debate shall not be further discussed at that meeting

(c) The subject of debate shall be deemed to be disposed of or

(d) The meeting shall stand adjourned.

11. A member may rise to a point of order or in personal explanation; but any such explanation shall be confined to some material part of a former speech by him/her at the same meeting, which may have been misunderstood or misconstrued. A member so rising shall be entitled to be heard forthwith for such a period as the Chairman shall permit; but (except as in this sub-clause provided, or in the case of a motion under Standing Orders 21 and 23) no member shall interrupt the speech of any other member.

12. The ruling of a Chairman on a point of order, or on the advisability of an explanation or the relevancy or propriety of an amendment or on any other matter dealt within this Standing Order, shall be final and not open to discussion.

13. Whenever the Chairman rises during a debate, a member then speaking or standing shall resume his/her seat, and the Council shall be silent.

14. A motion or amendment may be withdrawn by the proposer with the concurrence of the seconder and the consent of the Council which shall be signified without discussion. It shall not be competent for any member to speak upon it after the proposer has asked permission for its withdrawal unless such permission shall have been refused.

15. When a motion is under debate, no other motion shall be moved except the following

- (a) To amend the motion;
- (b) To postpone consideration of the motion;
- (c) To adjourn the meeting
- (d) To adjourn the debate;
- (e) To proceed to the next business
- (f) That the question be now put,
- (g) That a member be not further heard
- (h) That a member does leave the meeting
- (l) that the subject to be debated be referred to Committee.
- (j) That a speaker be further heard (see Rule 16).

(16) No member may speak for longer than 10 minutes in any one debate except by resolution under 20 (15) (j) above.

## 21. DISORDERLY CONDUCT

If at the meeting of the Council any member in the opinion of the Chairman notified to the Council misconducts him/herself, by persistently disregarding the ruling of the Chair, or by using any expression which is offensive or disorderly, or by otherwise behaving irregularly or improperly, or by obstructing the business of the Council, it shall be competent for a member to move "that the member named do leave the meeting", and the motion, if seconded, shall be put and determined without discussion. If carried, the Chairman may thereupon, order the removal from the Council Chamber of any such offending member and whether he/she retires upon request or is removed, he/she shall be excluded from the meeting, in such circumstances the Chairman shall have power to adjourn the meeting.

## 22. RIGHT OF REPLY

The proposer of an original motion shall have a right to reply at the close of the debate upon such motion, immediately before it is put to the vote, or before the motion, "that the debate be now adjourned," "that the Council proceed to the next business" or "that the Council do now adjourn" is put. If amendments are proposed, he/she shall be entitled to reply at the close of the debate upon each amendment to the original motion. The mover of such amendment shall not have a right of reply in the debate or such amendment; but if the amendment is carried and becomes the substantive motion under Standing Order 20, (7) he/she shall have a right of reply in the event of any amendment thereto being moved.

A member exercising a right of reply shall confine him/herself to answering previous speakers and shall not introduce new matter; and the Chairman's ruling as to this shall be final.

After every reply to which this Standing Order refers a decision shall be taken without further discussion.

23. BUSINESS OF AN OBJECTIONABLE NATURE

If at any meeting of the Council the Chairperson shall be of the opinion that any motion, amendment, business or matter proposed to be moved, transacted or discussed is of an objectionable character, or seriously prejudicial to the interests of the Council, he/she may intervene and give his/her reasons. He/she may then put it to the immediate vote that the motion, amendment, business or matter in question be not entertained or further permitted. If such motion is carried, such matter shall be considered as disposed of for the meeting.

24. POWER TO RESOLVE INTO COMMITTEE

The Council may resolve itself into a Committee of the Whole Council. A motion that this be done may be moved without previous notice at any time and shall have absolute precedence.

25. APPOINTMENTS OF EMPLOYEES

1. All appointments to the Council are carried out by the Town Clerk and his/her officers with exception of the Town Clerk and Deputy Clerk position.
2. Where there are more than two persons nominated for any appointment or position to be filled by the Council, and of the votes given there is not a 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 favor of one person.

26. EMPLOYED BY THE COUNCIL

If any question arises at a meeting of the Council as to the appointment, promotion, dismissal, salary or conditions of service, or as to the conduct of any person employed by the Council it shall be considered by the Staffing/ Audit Committee.

27. INTEREST OF MEMBERS IN CONTRACTS ETC.

If any member of the Council has any pecuniary interest, direct or indirect, within the meaning of the Section 94 of the local Government Act, 1972, in any contract, proposed contract or other matters, such member shall whilst such contract, proposed contract or other matter is before the Council, withdraw from the meeting unless:-

- (a) The disability imposed upon him/her by that section has been removed by the Minister of Health under sub-section 8 thereof, or
- (b) The contract, proposed contract or other matter is before the Council as part of the report of a Committee and is not itself the subject of debate; or
- (c) The Council invites him/her to remain, by motion to that effect. The provisions shall also apply in the case of meetings of all Committees.

28. INTEREST IN CONTRACTS - REGISTER

The Clerk of the Council shall record in a book to be kept for the purpose, particulars of any disclosures made under sub-section (1) of Section 94 of the Local Government Act, 1972, and of any notice given under Section 96 (1) thereof, and the book shall be open at all reasonable hours to the inspection of any member of the Council.

29. INTEREST OF OFFICERS IN CONTRACTS

The Clerk of the Council shall record in a book to be kept for that purpose, particulars of any notice given by an Officer of the Council under Section 117 of the Local Government Act, 1972, of a pecuniary interest in a contract, and the book shall be open during office hours to the inspection of any member of the Council.

30. RELATIONS OF MEMBERS AND OFFICERS

Candidates for any appointment under the Council shall when making an application disclose in writing to the Clerk of the Council, whether in their knowledge they are related to any member of the holder of any senior office under the Council. A candidate who fails to do so shall be disqualified for such appointment, or if appointed, shall be liable to dismissal without notice.

Every member and senior officer of the Council shall disclose to the Council any relationship known to him/her to exist between him/herself and as a candidate for an appointment, of which he/she is aware. It shall be the duty of the Clerk of the Council to report to the Council or to the appropriate Committee any such disclosures made to him/her.

When relationship to a member of the Council is disclosed, Standing Order No. 27 shall apply.

For the purpose of this Standing Order "Senior Officer" and "Senior Office" mean those designated as such by the Council and persons shall be deemed to be related if they are husband and wife, civil partner or if either of them, or the spouse of either of them is the son or daughter or grandson or grand-daughter or brother or sister or nephew or niece of the other, or by the spouse of the other.

31. CUSTODY OF SEAL

The Common Seal of the Council shall be kept in the custody of the Clerk of the Council.

32. SEALING OF DOCUMENTS

The Common Seal of the Council shall not be affixed to document unless the sealing has been authorised by a resolution of the Council or of a Committee to which the Council have delegated their powers in such behalf; but a resolution or direction of the Council (or of a Committee with appropriate powers), authorising the acceptance of any tender, the purchase, sale, letting or taking of any property, the issue of any stock, the presentation of any petition, memorial address, the making of any rate or contract, or any other matter or thing, shall be a sufficient authority for sealing any document necessary to give effect to the resolution.

Unless the Council shall otherwise direct the Seal shall be attested by (a) the Mayor or Deputy Mayor of the Council and (b) the Clerk of the Council

33. AUTHENTICATION OF DOCUMENTS

Where any document will be a necessary step in legal proceedings on behalf of the Council, it shall, unless any enactment otherwise requires or authorises or the Council shall have given the necessary authority to some other person for the purpose of such proceedings; be signed by the Clerk of the Council.

34. INSPECTIONS AND GIVING OF ORDERS

(1) The Council shall at any appropriate time appoint such Committees, as are necessary or desirable to carry out the work of the Council, but subject to any statutory provisions in that behalf:

(a) Shall not appoint any member of a Committee to hold office later than the next Annual Meeting of the Council.

(b) May at any time dissolve or alter the membership of a Committee.

(2) Except where otherwise provided by statute, or a scheme made under statutory authority, the Mayor of a Council shall be an ex-officio member of all Committees along with the Chair of Finance on any Finance Sub-Committees.

35. PROCEEDINGS IN COMMITTEE

36. TO BE CONFIDENTIAL

A member of a Committee (including the Council in Committee) shall not disclose a matter dealt with by or brought before the Committee without their permission until the Committee shall have reported to the Council or shall have concluded action in that matter.

37. SUB-COMMITTEE POWERS

1. Every Committee appointed by the Council may appoint sub-committees for our purposes to be specified by the Committee. Except where powers or duties are delegated to a sub-committee whose acts, in pursuance of any statutory enactment or regulation, need not be submitted to the Committee for approval, no act of a sub-committee shall have effect until approved by the Committee appointing them - unless the Council or the relevant Committee, otherwise determine. Full powers to act are delegated to the responsible committee within budget. Full powers to act are delegated to the Staffing & Audit Committee for all Staffing issues. Full powers to act are delegated to the Finance & General Purposes Committee for expenditure up to £5000.

2. Sub-Committees will be set for a period of 12 months with re-election of Chair and Deputy Chair appointed through each individual committee. Sub-Committees will be reformed at the first Full Council Meeting after the AGM. All Councillors will have the option to join any sub-committee with an expression of interest form sent out prior to said meeting.

38. QUORUM COMMITTEES AND SUB-COMMITTEES

Except where authorized by statute ordered by the Council, business shall not be transacted at meeting of any Committee and except as aforesaid, or otherwise ordered by the Committee which has appointed a sub-committee business shall not be transacted at a meeting of a sub-committee unless at the start one-third of the whole number of the Committee or Sub-Committee is present: Provided that in no case shall the quorum of a Committee be less than three members.

39. VOTING IN COMMITTEE

All questions in Committee shall be determined by a majority of members present and voting. The person presiding at a meeting of a Committee shall have a second or casting vote.

#### 40 SCHEME OF FINANCIAL CONTROL OBJECTS

1. To direct, regulate and control the finances of the Council including responsibility for the keeping of all accounts and the preparation of abstracts of Accounts and Balance Sheets.
2. To make arrangements for borrowing of money authorized by the Council and for the repayment of loans.
3. To consider whether capital expenditure (if authorised) shall be financed by external or internal borrowing, or from revenue.
4. To arrange and control the banking operations of the Council.
5. To invest money standing to the credit of reserve or other funds according to the provisions of the several statutes, and to alter and vary such investments from time to time as required.
6. To make estimates of income and expenditure for the year and to resolve upon the community precept based on the valuation list in force.
7. To arrange for all matters relating to the preparation of precepts made and to supervise the collection of all the revenues of the Council.
8. To institute such proceedings as may be deemed requisite for enforcing the payment of revenues and to make allowances and deductions from amounts owing to the Council as may be deemed necessary.
9. To receive a report from the designated officer covering any matters to which the attention of the Council should be drawn, or upon which the guidance of the Council is required.
10. To draft Financial Regulations embracing the above matters and designed to exercise effective financial control over all the transactions of the Council, including the appointment of a Designated Officer charged with the duty of implementing such Regulations.
11. To make arrangements under Section 151 of Local Government Act, 1972, for the proper administration of the Council's affairs and to designate an officer for that purpose.

#### FINANCIAL REGULATIONS

##### 41. CAPITAL EXPENDITURE & BORROWING

1. No contract shall be entered into or a tender accepted involving Capital Expenditure, without advice from the Responsible Financial Officer that the necessary borrowing powers and/or funds are available, or that approval has been given by the Council for the defrayment of the expenditure from Revenue.
2. The Designated Officer shall prepare annually draft estimates for the ensuing year of the Income and Expenditure of the Council for the January Meeting.
3. The current charges for rents, fees and other revenues of the Council shall not be altered until a report on the financial aspect of the proposal as it affects, the Estimates is submitted by the Finance Committee.
4. All reports to the Council which recommend the incurring of expenditure shall state whether such expenditure has been provided for in the Estimates.

##### 42 SANCTION AND PAYMENT OF ACCOUNTS

1. Orders for the supply of goods shall be in writing, signed only by the designated officer or an authorised deputy.
2. A list of all payments made, shall be submitted to the Finance sub-committee for comments/questions and then presented to the Finance and General Purposes Committee at its meeting.

3. All cheques and payments require 2 signatures in accordance with the Council bank mandate
4. The Designated Officer shall be responsible for affecting all insurances and keeping appropriate records thereof.

#### 43 ACCOUNTING ARRANGEMENTS

1. (a) The Designated Officer shall be invested with the power, subject to the Council Robert, not sure what this means, of general and complete control of all the financial affairs of the Council and of the accounting records. He/she will be responsible for the preparations and completion of the Council's accounts for Audit, and of the Statutory Financial Statement.  
  
(b) The Designated Officer shall publish to the Council copies of the Revenue Account and Balance Sheet as soon as possible after the end of the financial year.
2. The Designated Officer will report to the Council on all outstanding sums due and obtain instructions of the appropriate cases.
3. Each official who receives money on behalf of the Council or for which he/she is accountable to the Council shall keep such records in connection therewith as may from time to time be directed by the Designated Officer including an accurate and chronological account of all receipts and deposits at the Bank. The provisions of the Accounts (Payable into Bank)
4. All official receipt forms, books, tickets, stores requisites and other documents representing money or money's worth shall be ordered, controlled and issued by, and be in the custody of the Designated Officer who shall supply the requirements of all Departments. A Register shall be kept by him/her of all receipts and issues of such documents, and each issue shall be acknowledged by the signature of the official to whom the issue is made.
5. The Designated Officer shall establish debits for all items of income due to the Council and no such items shall be written off until authorised by the Council.
6. The Designated Officer shall be responsible for maintaining a current supervision of all accounts and records and have access and authority at any time to apply any tests or check to the accounts and records.

#### 44. STANDING ORDERS RELATING TO CONTRACTS

1. (1) Every contract made by the Council shall comply with these standing orders and no exception from any of the following provisions of these standing orders shall be made otherwise than by direction of the Council.  
(2) The clerk/finance officer will be given delegated powers for the expenditure of up to £5,000 on day to day expenditure.

Before entering into a contract for the execution of any work, the Council shall obtain from the appropriate officer or other persons an estimate in writing of the appropriate expenses of executing the work in a suitable manner and of the annual expenses, of maintaining the same.

3. No Contract which exceeds £5,000 in value or amount for supply of goods or materials or the execution of any work shall be made without first inviting tenders either by public notice or from contractors already approved by the council.
4. Where in pursuance of standing order 3 public invitation to tender is required, every notice of such invitation shall state that no tender will be received except in a plain sealed envelope which bear the word "Tender" followed by the subject to which it relates, but shall not bear any name or mark indicating the sender, and such envelope shall remain in the custody of the Clerk of the Council until the time appointed for their opening.  
Tenders shall be opened at one time and only in the presence, of such member or members of the Council as may have been designated for the purpose by the Council.
5. A tender other than the lowest tender if payment is to be made by the Council or the highest tender if payment is to be received by the Council shall not be accepted until the Council shall have considered a written report from the appropriate officer or other person.
6. Every contract which exceeds £5000, in value or amount shall be in writing.
7. 1. Every written contract shall specify
  - (a) The work materials matter or things to be furnished had or done.
  - (b) The price to be paid with a statement of discounts or other deductions, and
  - (c) The time or times within which the contract is to be performed.2. Every contract which exceeds £5,000 in value or amount and is either for the execution of works or for the supply of goods or material otherwise than at one time shall provide for some pecuniary penalty to be paid by the contractor in case the terms of the Contract are not duly performed, and the Council shall require and take sufficient security for the due performance of every such contract.
8. All goods shall, so far as practicable, require either that the goods and materials used in their execution shall have been produced in the United Kingdom or that they shall have been produced in the British Commonwealth.
9. All contracts, where a specification issued by the British Standards Institution is current at the date of the tender and is appropriate, shall require that the goods and materials used in execution shall be in accordance with that specification.
10. In every written contract a clause shall be inserted to ensure that the Council shall be entitled to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation, if the contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to obtaining or execution of the contract or any other contract with the Council, or for showing or for bearing to show favour or disfavour to any person in relation to the contract or any other contract with the Council, or if the like acts shall have been done by any person employed by him/her or acting on his behalf (whether with or without the knowledge of the contractor), or if in relation to any contract with the Council the contractor or any person employed by him or acting on his/her behalf shall have committed an offence under the Prevention of Corruption Acts, 1889 to 1916, or shall have given any fee or reward the receipt of which is an offence.
11. In every written contract for the execution of work or the supply of goods or materials the following clause shall be inserted: -
  - (a) The contractor shall pay the National Living Wage and observe hours and conditions of labour not less favorable than those established for the trade or

industry in the district where the work is carried out by machinery of negotiation or arbitration to which the parties are organizations of employers and trade union representatives respectively of substantial proportions of the employers and workers engaged in the trade or industry in the district.

(b) In the absence of any rates of wages, hours or conditions of labour so established the contractor shall pay rates of wages and observe hours and conditions observed by other employers whose general circumstances in the trade or industry in which the contractor is engaged are similar.

12. The contractor shall be in respect of all persons employed by him/her (whether in execution of the contract or otherwise) in every factory, workshop or place occupied or used by him/her for the execution of the contract comply with the general conditions required by this Resolution. Before a contractor is placed upon the Council's list of to be invited to tender, the Council shall obtain from him/her an assurance that to the best of knowledge and belief he/she has complied with the general conditions required by this Resolution for at least the previous three months. He/she should, whenever practicable, employ local labour.
13. In the event of any questions arising as to whether the requirements of this Resolution are being observed, the question shall, if not otherwise disposed of, be referred by the Minister of Employment to an independent tribunal for decision.
14. The contractor shall recognize the freedom of his/her workpeople to be members of Trade Unions.
15. The contractor shall at all times during the continuance of a contract display, for the information of his/her work people, in every factory, workshop or place occupied or used by him/her for the execution of the contract a copy of this Resolution.
16. The contractor shall be responsible for the observance of this Resolution, by sub-contractors employed in the execution of the contract and shall if required notify the Department of the names and addresses of all such sub-contractors.

### **PART III LOCAL GOVERNMENT ACT 2000 THE NEW ETHICAL FRAMEWORK**

45. The Local Authorities Amendment Order 2016 comes into force on the 1<sup>st</sup> of April 2016. The National Code of Local Government Conduct provides, by way of guidance to Members of local authorities, recommended standards of conduct in carrying out their duties, and in their relationships with the Council and the Council's Officers.

The Code is issued jointly by the Secretary of State for the Environment, the Secretary of State for Scotland, and the Welsh Government, under Part III of the Local Government Act 2000.

The Code Applies to all Members of:

In England, County Councils, District Councils, London Borough Councils, the Common Council of the City of London, the Council of the Isles of Scilly and Parish and Town Councils.

All Councillors are required, on accepting office, to declare that they will be guided by the Code.

The Code also applies to all members of Committees, Joint Committees and Sub-committees of Holyhead Town Council, whether or not they are Councillors, and whether or not they are voting Members of those bodies.

The Code represents the standard against which the conduct of Members will be judged, both by the public, and by their fellow Councillors. The local government Ombudsmen will receive all complaints against any Councillor who is alleged to have breached the code.

#### 46. THE LAW AND STANDING ORDERS

. As issued in the Code of Conduct

#### 47. PUBLIC DUTY AND PRIVATE INTEREST

As issued in the Code of Conduct. .

#### 48. DISCLOSURE OF PECUNIARY AND OTHER INTERESTS

As issued in the Code of Conduct

#### 49. MEMBERSHIP OF COMMITTEES AND SUB-COMMITTEES

You, or some firm or body with whom you are personally connected, may have professional, business or other personal interests within the area for which the Council are responsible. Such interests may be substantial and closely related to the work of one or more of the Council's Committees and Sub-Committees. For example, the firm of body may be concerned with planning, development land, council housing, personnel matters or the letting of contracts for supplies, services or works. You should not seek, or accept, membership of any such Committee or Sub-Committee if that would involve you in disclosing an interest so often that you could be of little value to the Committee or Sub-Committee, or if it would be likely to weaken public confidence in the duty of the Committee or Sub-Committee to work solely in the general public interest.

#### 50. LEADERSHIP AND CHAIRMANSHIP

You should not seek, or accept, the leadership of the Council if you or anybody with whom you are associated, has a substantial financial interest in, or is closely related to, the business or affairs of the Council. Likewise, you should not accept the chairmanship of a Committee or Sub-Committee if you have a similar interest in the business of the Committee or Sub-Committee.

#### 51. COUNCILLORS AND OFFICERS

1. Both Councillors and Officers are servants of the public, and they are indispensable to one another. But their responsibilities are distinct. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the Council. Their job is to give advice to Councillors and the Council, and to carry out the Council's work under the direction and control of the Council, their Committees and Sub-Committees.
2. Mutual respect between Councillors and Officers is essential to good local government. Close personal familiarity between individual Councillors and Officers can damage this relationship and prove embarrassing to other Councillors and Officers.
3. The law and standing orders lay down rules for the appointment, discipline and dismissal of staff. You must ensure that you observe these scrupulously at all times. Special rules apply to the appointment of assistants to political groups. In all other circumstances, if you are called upon to take part in appointing an officer, the only question you should consider is which candidate would best serve the whole Council.  
You should not let your political or personal preferences influence your judgment. You should not canvass the support of colleagues for any candidate and you should resist any attempt by others to canvass yours.

#### 52. USE OF CONFIDENTIAL AND PRIVATE INFORMATION

As a Councillor or a Committee or Sub-Committee Member, you necessarily acquire much information that has not yet been made public and is still confidential. It is a betrayal of trust to breach such confidences. You should never disclose or use confidential information for the personal advantage of yourself or of anyone known to you, or to the disadvantage or the discredit of the Council or anyone else.

#### 53. GIFTS AND HOSPITALITY

1. You should treat with extreme caution any offer or gift, favour or hospitality that is made to you personally. The person or organisation making the offer may be doing, or seeking to do, business with the Council or may be applying to the Council for planning permission or some other kind of decision.
2. There are no hard or fast rules about the acceptance or refusal of hospitality or tokens of goodwill. For example, working lunches may be a proper way of doing business, provided they are approved by the local authority and that no extravagance is involved. Likewise, it may be reasonable for a member to represent the Council at a social function or event organised by outside persons or bodies.
3. You are personally responsible for all decisions connected with the acceptance or offer of gift or hospitality and for avoiding the risk of damage to public confidence in local government. The offer or receipt of gifts or invitations should always be reported to the appropriate senior officer of the Council.

#### 54. EXPENSES AND ALLOWANCES

- 1.. There are rules enabling you to claim expenses and allowances in connection with your duties as a Councillor or a Committee or Sub-Committee member. These rules must be scrupulously observed.
2. You may have dealings with the Council on a personal level, for instance as a ratepayer or council taxpayer, as a tenant or as an applicant for a grant or a planning permission. You should never seek or accept preferential treatment in those dealings because of your position as a Councillor or a Committee or Sub-Committee member. You should

also avoid placing yourself in a position that could lead the public to think that you are receiving preferential treatment; for instance, by being in substantial arrears to the Council, or by using your position to discuss a planning application personally with officers when other members of the public would not have the opportunity to do so. Likewise, you should never use your position as a Councillor or a Committee or Sub-Committee Member to seek preferential treatment for friends or relatives, or any firm or body with which you are personally connected.

#### 55. USE OF COUNCIL FACILITIES

You should always make sure that any facilities (such as transport, stationery, or secretarial services) provided by the Council for your use in your duties as a Councillor or a Committee or Sub-Committee Member are used strictly for those duties and for no other purpose.

#### 56. APPOINTMENTS TO OTHER BODIES

You may be appointed or nominated by your Council as a member of another body or organisation - for instance, to a joint authority or a voluntary organisation. You should always observe this Code in carrying out your duties on that body in the same way you would with your own authority.