



**STANDING ORDERS**  
**PROCEEDINGS AND BUSINESS**

Updated on the 17 April 2023

Next review by 30 April 2024

**Where a standing order has a \* see standing order no. 41 (a) for explanation**

**1. MEETINGS OF THE COUNCIL**

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

**2. THE STATUTORY ANNUAL MEETING**

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

**3. TOWN MAYOR**

- (a) The election of the Town Mayor shall be the first business transacted at the Annual Meeting. \*
- (b) The responsibilities and expectations of the Town Mayor are documented in the Office of Town Mayor handbook (see **Appendix 1**).

**4. DEPUTY TOWN MAYOR**

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

**5. CHAIR OF MEETING**

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

**6. PROPER OFFICER**

Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, this shall be the Chief Executive Officer:

- (a) To receive declarations of acceptance of office.
- (b) To receive and record notices disclosing personal interests.
- (c) To receive and retain plans and documents.
- (d) To sign notices or other documents on behalf of the Council.
- (e) To receive copies of byelaws made by Buckinghamshire Council.
- (f) To certify copies of byelaws made by the Council.
- (g) To sign summons to attend meetings of the Council.

In any other cases the proper officer shall be the person nominated by the Council. However, in default of a nomination by the Council, the Chief Executive Officer shall be the proper officer.

## **7. QUORUM**

- (a) A quorum for a Council meeting shall be seven. If a quorum is not present when the Council meets or if during a meeting the number of Councillors present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chair may fix.
- (b) In the case of a committee, the quorum shall be not less than five of its members. If a committee does not reach the stated quorum, then no formal minutes shall be taken and no matters shall be determined.
- (c) In the case of a working group the quorum should not be less than 50% of its membership.

## **8. VOTING**

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

## **9. ORDER OF BUSINESS**

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

- (a) At each Annual Meeting the first business shall be:
  - (i) To elect a Town Mayor. \*
  - (ii) To receive the Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.

- (iii) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
  - (iv) To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the Council which have not been received as provided by law, shall be received.
  - (v) To elect a Deputy Mayor.
  - (vi) To appoint statutory or standing committees.
  - (vii) To inspect any deeds and trust instruments in the custody of the Council, if any member so requires, and shall thereafter follow the order set out in (c) below.
- (b) At every meeting other than the Annual Meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made, or if not then received, to decide when they shall be received. \*
- (c) After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:
- (i) To receive apologies for absence.
  - (ii) To consider the accuracy of the Minutes.
  - (iii) After consideration to approve the signature of the Minutes by the presiding Chair as a correct record. \*
  - (iv) To review the meeting action tracker to ensure decisions from previous meetings have been progressed.
  - (v) To deal with business expressly required by statute. \*
  - (vi) To receive such communications as the presiding Chair may wish to lay before the Council.
  - (vii) To answer questions under Standing Order No. 12.
  - (viii) To answer questions under Standing Order No. 13.
  - (ix) To dispose of business, if any, remaining from the last meeting.
  - (x) To receive and consider reports and minutes of committees and advisory committees.
  - (xi) To receive and consider reports from officers of the Council.
  - (xii) To authorise the sealing of documents
  - (xiii) To authorise the signing of orders for payment.
  - (xiv) To consider motions or recommendations in the order in which they have been notified.
  - (xv) Any other business specified in the summons.
- (d) A motion to vary the order of business on the grounds of urgency may be proposed by the Chair and may be put to the vote without being discussed, and if proposed by any member shall be put to the vote with discussion.

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

- (a) Except as provided by these Standing Orders, no resolution may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Proper Officer at least twelve clear days before the next meeting of the Council.
- (b) The Proper Officer shall date every notice of motion or recommendation when received by them, and shall number each notice in the order in which it was received and shall circulate copies of it to every member of the Council.
- (c) The Proper Officer shall insert in the summons for every meeting all notices of motion or recommendations properly given in the order in which they have been received, unless a member giving a notice of motion has stated in writing, before the day of the meeting, that he intends to move at some later meeting or that he withdraws it.

- (d) If a resolution or recommendation specified in the summons be not moved, either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (e) If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to that committee or to such other committees as the Council may determine, provided that the Chair does not consider it to be a matter of urgency, to be dealt with at the Council meeting at which it was moved.
- (f) Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

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

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

- (a) To appoint a Chair 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 motion or an amendment.
- (m) To extend the time limit for speeches.
- (n) To adjourn the meeting.
- (o) To suspend Standing Orders.
- (p) To consider otherwise than in committee a question affecting an employee of the Council.
- (q) To give the consent of the Council where such consent is required by these Standing Orders.
- (r) To exclude the press and public (see Standing Order 36).
- (s) To silence or eject from a meeting a member named for misconduct (see Standing Order 16).
- (t) To invite a member having an interest in the subject matter under debate to remain (see Standing Order 32 (a), (b) and (c)).

## **12. QUESTIONS FROM MEMBERS**

- (a) A member may ask the Chair any question concerning the business of the Council providing notice of the question has been given to the person to whom it is addressed by midday before the Council meeting. This includes questions to a Chair of a committee upon the proceedings of a committee.
- (b) Every question shall be put and answered without discussion, except that the Chair may at his discretion allow the questioner to put a supplementary question.
- (c) A person to whom a question has been put may decline to answer.

## **13. QUESTIONS FROM THE PUBLIC**

- (a) A period of up to fifteen minutes shall be allowed for Public Questions at the Statutory or Ordinary Meeting of the Council.

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

#### **14. RULES OF DEBATE**

- (a) No discussion shall take place upon the Minutes except upon their accuracy.
- (b) Corrections to the Minutes shall be made by resolution and must be initialled by the Chair.
- (c) 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 Chair, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- (d) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- (d) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- (e) No speech shall exceed five minutes, except by consent of the Chair.
- (f) An amendment shall be either:
  - (i) To leave out words.
  - (ii) To leave out words and insert or add others.
  - (iii) To insert or add words.
- (g) An amendment shall not have the effect of negating the motion before the Council.
- (h) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- (i) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (j) The mover of a resolution or of an amendment shall have a right of reply.
- (k) A member other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order or in personal explanation, or to move the closure.
- (l) A member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A member rising for these purposes shall be heard forthwith.
- (m) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion, and no member

- may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- (n) When a resolution is under debate no other resolution shall be moved except the following:
    - (i) To amend the resolution
    - (ii) To proceed to the next business
    - (iii) To adjourn the debate
    - (iv) That the question be now put
    - (v) That a member named be not further heard
    - (vi) That a member named does leave the meeting
    - (vii) That the resolution be referred to a committee
    - (viii) To exclude the public or the press or both
    - (ix) To adjourn the meeting
  - (o) A member shall stand when speaking unless permitted by the Chair to sit on account of infirmity.
  - (p) A Member shall rise to make a point of order. The Chair shall rule on a point of order, and can seek confirmation of procedure, where required, from the Proper Officer. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.
  - (q) Members shall address the Chair.
  - (r) If two or more members rise, the Chair shall call upon one of them to speak and the others shall resume their seats.
  - (s) Whenever the Chair rises during a debate all other members shall be seated and silent.

## 15. CLOSURE

- (a) At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded and if the Chair is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he shall forthwith put the motion. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.
- (b) If the business of any Council meeting is unlikely to be concluded before 10pm, the Chair will draw the attention of the meeting to the time at 9.50pm. If there are any motions or recommendations on the agenda that have not been dealt with the Chair shall put to the vote an extension to the meeting past 10pm. If the meeting is not extended past 10pm any business not considered, shall be considered at the next meeting.

## 16. DISORDERLY CONDUCT

- (a) All members must observe the Member's Code of Conduct (**see Appendix 2**). \*
- (b) No member shall, at a meeting, persistently disregard the ruling of the Chair, 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 Chair, a member has acted in a manner contrary to that required, the Chair 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 forth with 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 principal authority monitoring officer.

- (d) If the motion mentioned in paragraph (c) is disobeyed, the Chair may adjourn the meeting or take such further steps as may reasonably be necessary.
- (e) In accordance with the Council's Bullying and Harassment Policy (**see Appendix 3**) if a member is proved to have bullied or harassed an employee the Council has the power to admonish the member and obtain an undertaking from them not to repeat the conduct. The Council can also ban the member from all committees of the Council and representation on all outside bodies.

## **17. RIGHT OF REPLY**

The mover of a resolution shall have a right of reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

## **18. ALTERATION OF RESOLUTION**

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

## **19. RESCISSION OF PREVIOUS RESOLUTION**

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

## **20. VOTING ON APPOINTMENTS**

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

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

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded (see Standing Order No. 36 (d)).

## **22. EXPENDITURE**

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

## **23. SEALING OF DOCUMENTS**

- (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

- (b) The Council's Common Seal shall alone be used for sealing documents. It shall be applied by the proper officer in the presence of two members who shall sign the documents as witnesses.

## **24. APPOINTMENT OF COMMITTEES/WORKING GROUPS**

The Council will at the Annual Meeting appoint standing committees and working groups. Council may at any time appoint such other committees and/or working groups as deemed necessary to carry out the work of the Council, but subject to any statutory provision in that behalf:

- (a) Shall not appoint any member of a committee or working groups and parties so as to hold office later than the next Annual Meeting of the Council.
- (b) All working groups will have Terms of Reference, stating membership, objectives and estimated length of time the working group is needed.
- (c) May appoint (or co-opt) persons other than members of the Council to any committee or working groups.
- (d) May, subject to the provisions of Standing Order 19 at any time dissolve a committee or working groups or alter its membership.

## **25. CERTAIN PROCEEDINGS TO BE CONFIDENTIAL**

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

## **26. CONSTITUTION OF COMMITTEES**

- (a) The following shall be committees of the Council:
  - (i) Strategic Services Committee
  - (ii) Corporate Services Committee
  - (iii) Operational Services Committee
  - (iv) Planning Committee
- (b) The Planning Committee shall have power to make representations on planning matters on behalf of the Council.
- (c) Certain planning applications (as agreed at the Council Meeting of the 20 February 2017 will be delegated to the Proper Officer in liaison with ward Member(s) to make recommendations to the Planning Authority directly but any Member of the Council may request in advance that any named application be referred to the Planning Committee directly for consideration.
- (d) The committees shall be based on the proportional representation of the Council. A review to ensure proportional representation is achieved will be undertaken after each election.
- (e) All committees shall have executive powers as expressed in the Committee's Structure and Responsibilities document (**see Appendix 4**) but any Member of the Council (either at that committee or in writing in advance of the meeting) may request that the matter be referred to Council for determination. This request may be made



even after a Motion has been passed or lost at the committee, but before the close of the meeting, by any Member of the Council.

## **27. ELECTION OF CHAIR AND VICE CHAIR OF COMMITTEES**

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

## **28. ATTENDANCE OF MEMBERS AT COMMITTEE AND WORKING GROUP MEETINGS**

- (a) All Members of the Council shall have the right to attend any meetings of any standing committee or working group of the Council and shall have the right to speak at such meetings, but not to vote at committees or working groups of which they are not members.
- (b) The Chair of a committee may summon a special meeting of that committee at any time. A special meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- (c) Every committee may appoint working groups for purposes to be specified by the committee. The proper officer shall create terms of reference of the working group for the agreement of the Committee. The Chair and/or Vice-Chair of the committee shall be members of every working group unless they signify that they do not wish to.
- (d) The quorum of a committee shall be five members. If a committee does not reach the stated quorum, then no formal minutes shall be taken and no matters shall be determined, though notes of any discussion arising from Members who are present may be presented to Council for consideration.
- (e) The Standing Orders on rules of debate (except those parts relating to standing and speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee meetings in so far as they are appropriate.

## **29. VOTING IN COMMITTEES**

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

## **30. FUNCTIONS OF DEPUTIES**

Anything authorised or required to be done by, to or before the Town Mayor, the Chair of a committee or working group may if necessary be done by, to or before the Deputy Town Mayor, the Vice-Chair of the committee or working group, as the case may be.

## **31. ACCOUNTS, FINANCIAL STATEMENTS, TENDERS AND CONTRACTS**

All information relating to the policies and procedures for Accounts, Financial Statements, Tenders and Contracts can be found in the Council's Financial Regulations (**see Appendix 5**). The Responsible Finance Officer (RFO) shall be responsible for ensuring these policies and procedures are adhered to.

## **32. INTERESTS**

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

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

- (a) Canvassing of Members or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Proper Officer shall make known this sub-paragraph of this Standing Order to every candidate.
- (b) A Member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a Member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- (c) Standing Order 32 shall apply to tenderers as if the person making the tender were a candidate for an appointment.

## **34. INSPECTION OF DOCUMENTS**

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

## **35. UNAUTHORISED ACTIVITIES**

No Member of the Council or of any committee or working group shall in the name of, or on behalf of the Council:

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

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

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

“that in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw”

The Council committee or working group shall state the special reason for exclusion.

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

### **37. LIAISON WITH UNITARY AUTHORITY COUNCILLORS**

- (a) A notice of meeting shall be sent together with an invitation to attend, to the Buckinghamshire Council Members who represent part of the Town of Chesham.
- (b) Unless the Council otherwise orders, a copy of each letter ordered to be sent to Buckinghamshire Council shall be transmitted to the Unitary Authority Councillor(s) for the division for the ward as the case may require.

### **38. PLANNING APPLICATIONS**

The Proper Officer shall, as soon as it is received, record the following particulars of every planning application notified to the Council:

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

### **39. COMPLAINTS**

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or Member in such manner as outlined in its Complaints Procedure (see **Appendix 6**).

#### **40. MANAGEMENT OF INFORMATION AND DATA PROTECTION**

- (a) The Council shall deal with management of information and data protection in accordance with its policy and procedure (see **Appendix 7**).
- (b) 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.
- (c) 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).
- (d) In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.
- (e) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his or her personal data and ensure adherence thereof to the relevant legislation.

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

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

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

A copy of these Standing Orders shall be made available electronically to each Member by the Proper Officer upon delivery to them of the Member's declaration of acceptance of office.

#### **43. DELEGATION TO PROPER OFFICER**

- (a) The Proper Officer, in consultation with the Chair and Vice-Chair of the appropriate Committees, can act on urgent matters which the Committee concerned has delegated powers.
- (b) The line management of the Proper Officer will be undertaken by the Chair of the Council, who shall be a member of the Corporate Services Committee.
- (c) In addition to those powers already listed in Standing Order 6, the Proper Officer shall have full day to day authority to deal with the business of the Council, within the agreed policies and budgets of the Council, subject to the adherence with Financial Regulations / Standing Orders. This is specifically defined as follows:
  - (i) Purchase of goods and services within the confines of the approved budget.
  - (ii) To implement decisions of the Council and Committees, subject to the adherence of Financial Regulations and Standing Orders.
  - (iii) To institute proceedings under the Council's byelaws.
  - (iv) Appointment and dismissal of staff.
  - (v) Authorisation of annual leave carry-over of staff.
  - (vi) The authorisation of compassionate leave up to seven days a year.

- (vii) Authorisation of overtime working.
- (viii) Approval of training courses and study leave.
- (ix) Urgent action to ensure or safeguard staff welfare.
- (x) Arranging official courtesy receptions and entertainment of guests, or advisers to the Council.
- (xi) Letting of Council facilities.
- (xii) Payment of salaries, wages, pension and taxes of staff employed by the Council or retired from service.
- (xiii) Negotiation of insurance agreements for Council property and services.
- (xiv) Authorisation of payment from funds of Council-initiated groups.
- (xv) Dealing with the provision and maintenance of:
  - allotments
  - cemeteries
  - litter bins
  - seats
  - bus shelters
  - notice-boards
  - footpaths
  - town clocks
  - hanging baskets
  - Christmas lights
  - War memorial
  - children's playgrounds
- (xvi) The management and maintenance of grounds maintenance contracts.
- (xvii) Responsibility for managing delegated functions from Buckinghamshire Council and other agencies.
- (xviii) The management of maintenance of The Elgiva and dealing with other leisure, entertainment, community and tourism issues that affect the town;
- (xix) Dealing with the production and publication of the Town Guide, related promotional publications and publicity matters.
- (xx) Certain Planning Applications as directed by the Council.
- (xxi) Co-ordinating and directing the Council's involvement in annual town events.
- (xxii) The maintenance of an approved list of contractors.
- (xxiii) Co-ordinate the Council's agreed civic and tourism role.
- (xxiv) Manage the Council's office premises, including all operational issues and budgets.
- (xxv) Administer compliance with the Code of Conduct, Standing Orders and related matters.

#### **44. PETITIONS RECEIVED FROM MEMBERS OF THE PUBLIC**

The Council welcomes community feedback and offers many opportunities and ways to do so as a matter of course. The Council recognises that petitions are one way in which residents of the town can let the Council know about their concerns. The requirements for submitting a petition are:

- (a) Petitions may only be submitted to the Town Council regarding areas of its responsibility. Petitions for matters under the control of Buckinghamshire Council will not be accepted, and the petitioners will be directed to an appropriate contact at the relevant authority
- (b) Petitions that are considered to be vexatious, abusive or otherwise inappropriate will not be accepted.
- (c) Signatures must be accompanied by the signatories' full name and address and any signatory must be resident in the civil parish of Chesham for their signature to be

valid and a minimum of (100) signatories are required for a petition to be considered under this policy.

- (d) Petitions must include a clear and concise statement (prayer) covering the subject of the petition and the action the petitioners wish the Council to take.
- (e) Petitions must be accompanied by contact details for a petition organiser. This will be the person the Council will contact regarding the petition.
- (f) A petition will not be accepted if a similar petition has been accepted within the previous six months.

The Council will:

- (a) Send an acknowledgement of the petition to the petition organiser stating whether the petition has been accepted as valid or not. This will be as soon as possible and normally within ten working days of the Council receiving the petition. If a petition has been deemed invalid the reasons will be stated.
- (b) All councillors will also be informed of the receipt of a valid petition.
- (c) If a petition is accepted as valid, the petition organiser will be invited to the next full council meeting to make a three-minute presentation to the Council. The valid petition will be added as an agenda item for discussion and debated at the meeting.
- (d) In the event that the Proper Officer and/or the Mayor reasonably judge that the meeting may be overloaded, the presentation of the petition may be delayed until the following meeting of Council.

#### **45. APPENDICES TO THE STANDING ORDERS**

The following are appendices to the Standing Orders:

- (a) Appendix 1 – The Office of Town Mayor Handbook (3b)
- (b) Appendix 2 – Member Code of Conduct (16a)
- (c) Appendix 3 – Bullying and Harassment Policy (16e)
- (d) Appendix 4 – Committee Structure & Responsibilities (26e)
- (e) Appendix 5 – Financial Regulations (31)
- (f) Appendix 6 – Complaints Procedure (39)
- (g) Appendix 7 – Data Protection Policy (40)