

NANTYGLO & BLAINA TOWN COUNCIL  
CYNGOR TREF NANT-Y-GLO A BLAENAU

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# Standing Orders

Adopted by Nantyglo & Blaina Town Council:

Signed:

  
Councillor K Jenkins – Town Mayor/ Chairman

Dated: 26th March 2024

Revised: March 2024

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## 1. Meetings

No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting, sub-group or meeting of a task and finish group be less than 3.

The code of conduct adopted by the Council shall apply to the councillors in respect of the entire meeting.

An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.

If a meeting is or becomes not quorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned may be transacted at a following meeting, however a discussion may be held and reported at the next appropriate meeting.

If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved or received by a resolution, such a resolution shall be recorded in the minutes of that meeting. Apologies will only be accepted by Council in the case of a valid reason such as holiday, illness or hospital appointment etc. Late apologies may also be accepted if the reason for absence is similar to listed above. Please note that the list of valid reasons stated above is not exhaustive.

Meetings in person will commence at 6pm and shall not continue beyond a 2-hour duration except for the completion of urgent business for which the suspension of Standing Orders must be approved.

In accordance with election legislation, neither any member(s) political party, individuals nor speaker(s) are permitted to use the Town Council's meetings or premises for 'electioneering' purposes in the pre-election period (formerly known as 'Purdah').

In the event of a guest speaker being present at a council meeting the following procedure is to be observed:

- Members are to receive the presentation by the guest speaker.
- Questions from Members are invited at the end of the presentation.
- Members are to ask only 1 question each – if time allows and with the Chairman's permission, a second question may be asked.
- There is to be no discussion or exchange of points of view between Members and that all dialogue is to be directed through the chairman.

In accordance with The Local Government & Elections (Wales) Act 2021 [s.48], public

participation is allowed by way of the inclusion of a standing agenda item. This is to allow members of the public a reasonable opportunity to make representations about business to be discussed (i.e. agenda items). This does not mean that members of the public can take part in debate or in those items deemed by Council (or the relevant Committee) to be confidential. The recommended time limit for this item is 10 minutes which would prevent the possibility of the meeting being disrupted or exceeding its allocated time limit, although the Chair reserves the right to allow members of the public to conclude.

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the council's consent.

The press shall be provided with reasonable facilities for the taking of their report of all part of a meeting at which that are entitled to be present.

### **1a. Remote / Hybrid Meetings (multi location meetings):**

The Local Government and Elections (Wales) Act 2021 legislates that "from 1<sup>st</sup> May 2021, local authorities will be required to make arrangements to ensure their meetings are capable of being held remotely". From May 2020 until March 2022, all meetings of the Council take place via the MS Teams Pro application and enables all Councillors and Officers to attend via video link or phone link. From March 2022, council meeting in 'person' resumed within the Council Chamber with the ability to hold remote/hybrid meetings using an appropriate platform. The minimum requirement is that members are able to hear and be heard by others.

## **2. Annual Council Meeting**

- a) In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the newly elected councillors take office.
- b) In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.
- c) If no other time is fixed, the annual meeting of the Council shall take place at 6.00pm. In addition to the annual meeting of the Council, other ordinary meetings may be held in each year on such dates and times as the Council may direct.
- d) The election of the Town Mayor (Chair of the Council) and Deputy Town Mayor (Vice-Chair) (if any) of the Council shall be the first business completed at the annual meeting of the Council.
- e) In addition to the annual meeting of the Council, any number of other ordinary meetings may be held in each year on such dates and times as the council

decided.

- f) The Town Mayor (Chair of the Council), unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting of the Council.
- g) The Deputy Town Mayor Vice Chair of the Council if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of Council at the next annual meeting.
- h) In an election year, if the current Town Mayor (Chair of the Council) has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Town Mayor (Chair of the Council) has been elected. The current Chair of the Council shall not have been elected. The current Chair of council shall not have an original vote in respect of the election of the new Town Mayor (Chair of the Council) shall give a casting vote in case of an equality of votes.
- i) In an election year, if the current Town Mayor (Chair of the Council) has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Town Mayor (Chair of the Council) has been elected. They may exercise an original vote in respect of the election of the new Chair of Council and shall give a casting vote in the case of an equality of votes.
- j) Following the election of Town Mayor (Chair of the Council) and Deputy Town Mayor (Vice Chair) of the Council at the annual meeting, the business shall include:
- k) In an election year, delivery by Town Mayor (Chair of the Council) and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Town Mayor (Chair of the Council) of their acceptance of office form unless the Council resolved for this to be done at a later date.
- l) The business of the Annual Meeting is to proceed as per agenda.

### **3. Proper Officer**

The Council's Proper Officer shall be the Town Clerk and another employee may be appointed by the Council to undertake the role of the Proper Officer during the Clerk's absence. The Proper Officer and the employee appointed to act as such during the Clerk's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.

The Council's Proper Officer shall do the following:

- i) Sign and serve on councillors by delivery or post or electronically (The Local Government and Elections (Wales) Act 2021) at their residences a summons

confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.

- ii) Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).
- iii) Subject to standing orders 4(a)-(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 5 clear working days before the meeting confirming his withdrawal of it.
- iv) Convene a meeting of full Council for the election of a new Town Mayor of the Council, occasioned by a casual vacancy in this office.
- v) Must make the minutes of Council meetings (except confidential information) available to view upon reasonable request.
- vi) Receive and retain copies of byelaws made by their local authorities.
- vii) Receive and retain declarations of acceptance of office from councillors. Retain a copy of every councillor's register of interests and any changes to and keep copies of the same available for inspection.
- ix) Keep proper records required before and after meetings;
- x) Process all requests made under the Freedom of Information Act 2000 and the General Data Protection Regulations 2018, in accordance with and subject to the Council's procedures relating the same.
- xi) Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii) Manage the organisation, storage of and access to the information held by the Council in paper and electronic form subject to the requirements of freedom of information and data protection legislation and other legitimate requirements (e.g. the Limitation Act 1980).
- xiii) Arrange for legal deeds (to be sealed using the Council's common seal) OR (to be signed by 2 councillors) and witnessed.

- xiv) Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv) Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xvi) Refer a planning application received by the Council to either the Planning Committee or to a meeting of the Council, without notice, in order to facilitate a decision within the statutory time limit, except where delegated powers are awarded to the Proper Officer (see item 35).
- xvii) Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
- xviii) Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
- xix) Exercise delegated powers in conjunction with the Leader of the Council on behalf of the Council when it enters a period of recession i.e. the month of August and the period following the committee (last) meeting in December through to the committee (first) meeting held in January (see item 35).

#### **4. Motions requiring written notice**

- a) **No motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 8 clear working days before the next meeting.**
- b) **The Proper Officer may, before including a motion in the agenda, correct obvious grammatical or typographical errors in the wording of the motion.**
- c) **If the Proper Officer considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 7 clear working days before the meeting.**
- d) **If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the**

**agenda.**

- e) Having consulted the Chair or councillors, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.**
- f) Notice of every motion received in accordance with the Council's standing orders shall be listed in the order received and shall be entered in a (minute) book, which shall be open to inspection by all councillors.**
- g) Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.**
- h) Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.**

## **5. Motions not requiring written notice**

- a) Motions in respect of the following matters may be moved without written notice:**
  - i. To appoint a person to preside at a meeting.**
  - ii. To approve the absences of councillors.**
  - iii. To approve the accuracy of the minutes of the previous meeting.**
  - iv. To correct an inaccuracy in the minutes of the previous meeting.**
  - v. To dispose of business, if any, remaining from the last meeting.**
  - vi. To alter the order of business on the agenda for reasons of urgency or expedience.**
  - vii. To proceed to the next business on the agenda.**
  - viii. To close or adjourn debate.**
  - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.**
  - x. To appoint a committee or sub-committee or any councillors (including substitutes) there to.**
  - xi. To receive nominations to a committee or sub-committee.**
  - xii. To dissolve a committee or sub-committee.**



- xiii. To note the minutes of a meeting of a committee or sub-committee.
  - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
  - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
  - xvi. To authorise legal deeds (to be sealed by the Council's common seal) OR (signed by two councillors) and witnessed.
  - xvii. To authorise the payment of monies up to £2500 (subject to Financial Regulations).
  - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
  - xix. To extend the time limit for speeches.
  - xx. To exclude the press and public for all or part of meeting.
  - xxi. To silence or exclude from the meeting a Councillor or member of the public for disorderly conduct.
  - xxii. To suspend any standing order except those which are mandatory by law.
  - xxiii. To adjourn the meeting.
  - xxiv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
  - xxv. To answer questions from councillors.
- b) If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chair may direct for it to be dealt with at the present meeting for urgency or expedience.

## **6. Rules of debate**

- a) Motions included in an agenda shall be considered in the order that they appear on the agendas unless the order is changed at the Chair's direction for reasons of expedience.
- b) Subject to standing orders, a motion shall not be considered unless it has been proposed and seconded.
- c) Subject to standing order, a motion included in an agenda not moved

- by the councillor who tabled it, may be treated as withdrawn.
- d) A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chair, be reduced to writing and handed to the Chair who shall determine the order in which they are considered.
  - e) A councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the members who seconded the motion.
  - f) Any amendment to a motion shall be either: To leave out words; to add words; to leave out words and add other words.
  - g) A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
  - h) Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
  - i) Subject to Standing (h) above, one or more amendments may be discussed together if the Chair considers this expedient but shall be voted upon separately.
  - j) Pursuant to standing order (h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
  - k) If an amendment is not carried, other amendments shall be moved in the order directed by the Chair.
  - l) If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
  - m) The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.
  - n) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
  - o) Subject to standing orders (m) and (n) above, unless permitted by chair of the meeting, a councillor may speak once in the debate on a motion
    - i. to speak on an amendment moved by another councillor.

- ii. to move or speak on another amendment if the motion has been amended since they last spoke:
  - iii. to make a point of order.
  - iii. to give a personal explanation; or
  - v. to exercise a right of reply.
- p) During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- q) A point of order shall be decided by the Chair and his decision shall be final.
- r) With the consent of the member seconding the motion, a motion or amendment may be withdrawn by the mover. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal or the motion or amendment has been refused.
- s) Subject to standing order (o) above, when a councillor's motion is under debate no other motion shall be moved except:
- i. to amend the motion.
  - ii. to proceed to the next business.
  - iii. to adjourn the debate.
  - iv. to put the motion to a vote.
  - v. to ask a person to be silent or for that person to leave the meeting.
  - vi. to refer a motion to a committee or sub-committee for consideration.
  - vii. to exclude the public and press.
  - viii. to adjourn the meeting.
  - ix. to suspend any standing order(s) except those which are mandatory or legal requirements.
- t) In respect of standing order 6(s)(iv) above, the Chair shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chair shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

**7. Responsibilities to provide Information - see also standing order 3**

- a) In accordance with freedom of information legislation, the council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.

**8. Responsibilities Under Data Protection Legislation (see also standing order 3).**

- a) The council may appoint a Data Protection Officer
- b) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their data.
- c) The Council shall have a written policy in place for responding to and managing a personal data breach.
- d) The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- e) The council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- f) The council shall maintain a written record of its processing activities.

**9. Questions**

- a) A councillor may seek an answer to a question concerning any business of the Council provided 3 clear days' notice of the question has been given to the Proper Officer
- b) Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c) Every question shall be put and answered without discussion.

**10. Minutes**

- a) If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b) No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the

minutes shall be raised in accordance with standing order 5 (a) (iv) above.

- c) Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d) If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect: "The Chair or any member may if he/ she does not believe that the minutes of the meeting were a correct record seek to have their name recorded against the majority decision.
- e) Upon resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.
- f) No later than seven working days of a council meeting, the council must publish electronically a note setting out:
  - **The names of members who attended the meeting, and any apologies for absence:**
  - **Any declarations of interest; and**
  - **Any decisions taken at the meeting, including the outcomes of any votes.**

**The requirements regarding the note to be published after a council meeting do not apply for private business or where disclosure would be detrimental to acting on those decisions.**

## **11. Code of conduct (Wales)**

- a) All councillors shall observe the Code of Conduct and any subsequent amendments adopted by the Council. (All Councillors will be provided with copies upon becoming a Member of the Town Council).
- b) All councillors with voting rights shall undertake training in the code of conduct within six months of the delivery of their acceptance of office form.
- c) Dispensation requests shall be in writing and submitted to the standards committee of the **Town Council & County Borough Council** as soon as possible before the meeting the dispensation is required for.

## **12. Disorderly conduct**

- a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.

- b) If, in the opinion of the Chair, there has been a breach of standing order 11(a) above, the Chair shall express that opinion and thereafter any councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forth with and without discussion.
- c) If a resolution made in accordance with standing order 11(b) above, is disobeyed, the Chair may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting

### **13. Rescission of previous resolutions**

- a) A resolution (whether affirmative or negative) of the council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least (3) councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b) When a motion pursuant to standing order 13(a) has been disposed of, no similar motion may be moved for a further six months.

### **14. Voting on appointments**

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

### **15. Expenditure**

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

## **16. Execution and sealing of legal deeds**

- a) A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b) **(Subject to standing order 16(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be signed by the Proper Officer shall witness in the presence of two councillors who shall sign the deed as witnessed)**

*The above is applicable to a Council without a common seal.*

## **17. Committees**

- a) The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
  - i. Shall determine their terms of reference (see appendix 1)
  - ii. May permit committees to determine the dates of their meetings;
  - iii. Shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
  - iv. May appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have previously confirmed to the Proper Officer that they are unable to attend.
  - v. Shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three.

## **18. Sub-Committees**

- a) Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.
- b) The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.
- c) Unless the Council determines otherwise, all the members of an advisory committee and sub-committee of the advisory committee may be non-councillors.

## **19. Extraordinary meetings**

- a) The Town Mayor (Chairman of the Council) may convene an extraordinary meeting of the Council at any time.
- b) If the Town Mayor (Chairman of the Council) does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by three councillors, those three councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such meeting must be signed by the two councillors.
- c) The Chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d) If the Chair of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested to do so by three councillors, those three councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.
- e) In addition to the annual meeting of the Council, any number of other ordinary meetings may be held in each year on such dates and times as the council decided.
- f) The Chair of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting of the Council.
- g) The Vice Chair of the Council if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of Council at the next annual meeting.
- h) In an election year, if the current Chair of Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have been elected. The current Chair of council shall not have an original vote in respect of the election of the new Chair of the Council shall give a casting vote in case of an equality of votes.
- i) In an election year, if the current Chair of Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of Council has been elected. They may exercise an original vote in respect of the election of the new Chair of Council and shall give a casting vote in the case of an equality of votes.

## **20. Advisory committees (Task & Finish Groups)**

- a) The Council may appoint advisory committees (Task & Finish Groups) comprised of a number of councillors and non-councillors.



## **21. Management of Information**

- a) 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. Such data will include recordings of meetings held by the council.
- b) 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, recorded 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).
- c) The Agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.
- d) Councillors, staff, the council's contractors and agents shall not disclose confidential information or personal data without legal justification.

## **22. Responsible Financial Officer**

- a) The council shall point appropriate staff member(s) to undertake the work of the responsible Financial Officer when the responsible Financial Officer is absent.

## **23. Accounts and Financial Statement**

- a) "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils in Wales – A Practitioners' Guide".
- b) All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- c) The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31<sup>st</sup> March, a Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure for a year to 31<sup>st</sup> March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30<sup>th</sup> June.

## **24. Estimates/ Precepts**

- a) The council shall approve written estimates for the coming financial year at its meeting before the end of January.
- b) Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

## **25. Canvassing of and recommendations by Councillors**

- a) Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b) A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for an appointment.
- c) This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **26. Inspection of documents**

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

## **27. Unauthorised activities**

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

## **28. Confidential business**

*Members' attention is drawn to the points below:*

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

## **29. Matters affecting council employees**

- a) If a meeting considers any matters personal to Council employee, it shall not be considered until the Council OR Personnel Committee has decided whether or not the press and public shall be excluded.
- b) Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Town Mayor (Chairman of the Personnel Committee) & Leader of the Council or, in his absence, the Deputy Town Mayor of any absence occasioned by illness or urgency and that person shall report such absence to the Personnel Committee at its next meeting.
- c) The Town Mayor (Chairman of the Personnel Committee) or in his absence, the Deputy Town Mayor shall upon a resolution conduct a review of the performance and/or appraisal of the employee's job title and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Personnel Committee at its next meeting.
- d) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Town Mayor (Chairman of the Personnel Committee) or in his absence, the Deputy Town Mayor in respect of an informal or formal grievance matter, and this matter shall be reported and progressed by resolution of a newly appointed subcommittee.
- e) Subject to the Council's policy regarding the handling of grievance (see employees' contract of employment) and disciplinary matters, if an informal or formal grievance matter raised by an employee relates to the Town Mayor or Deputy Town Mayor (Chairman or Vice-Chairman of the Personnel Committee) this shall be communicated to the Council and progressed by resolution of a newly appointed subcommittee.
- f) Any persons responsible for all or part of the management of Council employees

shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.

- g) The Council shall keep written records relating to employees shall be secured under lock and key.
- h) Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i) Only persons with line management responsibilities shall have access to employee records referred to in standing orders (g) and (h) above if so justified.
- j) Access and means of access by keys to records of employment referred to in standing orders (g) and (h) above shall be held by the Proper Officer and provided only to the post holder and with good cause, to the Town Mayor (Chairman of the Personnel Committee).

### **30. Relations with the press/media including social media**

- a) All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media i.e. The Proper Officer in conjunction with the Town Mayor.
- b) In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not provide oral or written statements or written articles to the press or other media in respect of Council business.
- c) Paragraphs 30a and b above also apply to all forms of social media where applicable.

### **31. Financial Matters**

- a) The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include the following:

A public contract regulated by Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but not less than the relevant thresholds referred to in standing order 31(b) is subject to the "light touch" arrangements under Regulations 109 – 114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).

- b) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in standing order 31(c)

below.

- c) Any formal tender process shall comprise the following steps:
  - i. a public notice of intention to place a contract should be advertised locally;
  - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
  - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
  - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
  - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d) Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e) Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 and the Utilities Contracts Regulations 2016) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules. One Voice Wales can supply Council's with further information in this regard.

## **32. Liaison with and County Borough Councillors**

- a) An invitation to attend a meeting of the Council shall be sent, together with the agenda, to ward councillor(s) of the (County Borough) OR (County Council) representing the area of the Council.
- b) Unless the Council determines otherwise, a copy of each letter sent to the (County Borough) OR (County Council) shall be sent to the ward councillor(s)
- c) Representing the area of the Council.
- d) As per Charter Agreement.

## **33. Voting on Appointments & Co-option of Members of Town / Community Councils**

- a) Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue

until a majority of votes is given in favour of one person. A tie in votes may be steered by casting vote exercisable by the Chair of the meeting.

- b) When the council intends to fill a vacancy by co-option, the Council must ensure the process is as set out in Local Government (Wales) Measure 2011, Part 7: Communities and Community Councils [Chapter 3].
- c) All applications received for co-option are submitted to Members by way as an agenda item. A secret ballot will take place during the said meeting with the Proper Officer and a Member from each group to act as tellers. Please note that NO discussion is required.

### **34. Allegations of breaches of the code of conduct**

- a) On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to a committee known as the Grievance committee (Standards committee).
- b) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Grievance (or Standards) committee of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c) Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d) The subject matter of notifications shall be confidential and, in so far as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Grievance (or Standards) Committee shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
  - i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
  - ii. Ensure that any background papers containing the information set out in standing order 34(a) above are not made public.
  - iii. Ensure that the public and press are excluded from meetings as appropriate.

- iv. Ensure that the minutes of meetings preserve confidentiality.
- v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- e) Standing order (d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the Grievance Committee or otherwise) from disclosing information to members and Officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- f) The Grievance committee shall have the power to:
  - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
  - ii. seek and share information relevant to the complaint;
  - iii. grant the member involved a financial indemnity in respect of legal costs which shall be in accordance with the law and subject to approval by a meeting of the full Council.
- g) References in standing order 34 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

**Please note that following discussions with the Public Ombudsman for Wales Paragraph 34 as stated above should be substituted with the following:**

34 Any breach or an alleged breach of the code of conduct by a Councillor must be referred to the Public Ombudsman for Wales who will provide advice and guidance as to how the matter should be dealt with.

### **35. Variation, revocation and suspension of standing orders**

- a) Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business by way of formal recommendation for inclusion to the agenda. Such information will need to be provided to the Town Clerk at least 10 days prior to the date of the meeting.
- b) A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.

### **36. Standing Orders to be given to councillors**

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

### **37. Delegated Powers**

In the event of any period of recession e.g. the month of August and the Christmas period, the Town Clerk and the Leader of the Council jointly are awarded delegated powers.

### **38. Payment to Members:**

The Town Council will consider the Independent Review Panel for Wales annual report in respect of Members Allowances. The Town Council will adhere to the mandatory requirements published within. The Town Council will also consider, and if appropriate resolve non-statutory guidelines.

Under no circumstances can a Member of the Town Council (whether elected or co-opted) become a paid member of staff, or for a period of up to 12 months after ceasing to be (LGA 1972 s.116).

### **39. Appointment of Town Mayor (or Deputy Town Mayor)**

Prior to the Annual Meeting of the Council held in May, written nominations are invited in respect of the position of Town Mayor (Chair of the Council).

If there is a Deputy Town Mayor Vice - Chair of the Council) in post then that Member will automatically assume the position of Town Mayor (Chair of the Council) at the Annual Meeting (unless he/she declines the position) and nominations are then invited for the position of Deputy Town Mayor (Deputy Chair of the Council).

Members are able to nominate themselves for the position and the Member in receipt of most nominations shall be appointed as Town Mayor (Chair of the Council) or Deputy Town Mayor (Vice – Chair of the Council) (as outlined above).



#### **40. Training Plan & Annual Report:**

The Local Government & Elections (Wales) Act 2021 [s.52] mandates that all Town/Community Councils prepare and publish an Annual Report at the beginning of each financial year about the Council's priorities, activities and achievements over the previous year.

The Local Government & Elections (Wales) Act 2021 [s.67] mandates that all Town/Community Councils produce and publish a Training Plan for both members and staff. The Act requires that Council's review the training plan from time to time.

**Committees – Terms of Reference 2024/25:**

**General:**

- 1.0 The Town Council will be in recess for the month of August when ordinarily no meetings of the Council will take place. Additionally, a Meeting of the Council and the Events Committee will not take place in the month of December.
- 1.1 All Members of the Council are Members of the Planning & Highways Committee; Finance & General Purposes Committee & the Events Committee.
- 1.2 The Chair of each committee is agreed and resolved at the Annual Meeting of the Council.
- 1.3 The purpose of each committee is to consider and if applicable, take appropriate action regarding any items of concern or benefit to Nantyglo and Blaina.
- 1.4 To set up a Task and Finish Group for each committee if agreed relevant.
- 1.5 All Task and Finish Groups must provide an update of their meeting and/or recommendations to the relevant committee for resolution.
- 1.5 All Members will be issued with agendas and any other relevant information for each committee meeting.
- 1.6 Minutes of the committee meeting will be submitted to the next appropriate meeting of the Town Council for approval and signature.
- 1.7 To award Freedom of the Town is by recommendation at a meeting specially convened for the purpose and requires a two thirds majority of those voting.

**Planning & Highways Committee:**

- 2.0 The Planning & Highways Committee will meet every second Tuesday of the month except for the month of August.
- 2.1 To consider and respond to consultations and express the views of the Town Council relating to planning applications; development plans and other related matters within the boundary of Nantyglo and Blaina.
- 2.2 To consider and respond to the relevant body in respect of licencing applications within Nantyglo and Blaina.
- 2.3 To consider and respond to the relevant body in respect of listed buildings, building regulations and conservation orders within Nantyglo and Blaina.
- 2.4 To consider and respond to the relevant body in respect of highways and environmental issues.

### **Finance & General Purposes Committee:**

- 3.0 The Finance & General Purposes Committee will meet every second Tuesday of the month except for the month of August.
- 3.1 To consider and respond to requests for financial donations from local groups (in line with the resolved financial grants policy).
- 3.2 To consider and resolve all financial matters of the Town Council, including but not limited to: monthly income & expenditure reports; quarterly budget monitoring reports; reserve account reports; consideration and scrutiny of the budget and precept reports prior to resolution at Full Council & insurance matters.

### **Events Committee:**

- 4.0 The Events Committee will meet every fourth Tuesday of the month except for the months of August and December.
- 4.1 Due to the nature of the Events Committee and its functions, a Vice Chair will be appointed.
- 4.2 To consider and if appropriate resolve a programme of events to be held within Nantyglo and Blaina such as: ARC Awards; Primary Talent Showcase; Nantyglo & Blaina In Bloom; Flower, Christmas Carol Concerts & Christmas Fun Nights.
- 4.3 To consider and if appropriate, resolve the siting of the Town Council's Christmas Lights together with the associated costs and issues.
- 4.4 To liaise with and develop working relationships with schools; groups and other bodies working with Nantyglo and Blaina as appropriate.
- 4.5 To consider and if appropriate resolve Civic Events and any other events / functions which would benefit the community of Nantyglo and Blaina.
- 4.6 No serving Councillor or employee of the Town Council can enter any competition or be nominated for any award, organised by the Town Council. This is to ensure that no unfair allegations can be made against any such individual or the Town Council. This will also help to ensure that any delays in the Council ratifying any such results are less likely to be due to the appropriate Council meeting not being quorate.

### **Personnel Committee:**

- 5.0 The Personnel Committee will meet as required.
- 5.1 The Committee will comprise of a total of three members: the Town Mayor (Chairman of the Council); Leader of the Council and Leader of the Minority Group.
- 5.2 If any position is duplicated, the Deputy Town Mayor (Deputy Chair of the Council) will act as a substitute member of the committee.
- 5.3 The Committee will consider and act as a 'shortlisting panel' in respect of applications received for Town Council staff vacancies.
- 5.4 The Committee will form the interview panel (or determine the make-up of the interview panel) in order to interview for any Town Council Staff position.
- 5.5 The Committee will provide a recommendation to Council in respect of the result of any interview panel carried out.
- 5.6 The Committee will consider matters of grievance in the first instance and will then provide a recommendation to the Council.