Policy Number PTC - FC010.1

Penmaenmawr Town Council

Standing Orders

Version V1.2 May 2026

This is a new version of the Standing Orders designed to comply with all relevant legislation including the Local Government and Elections (Wales) Act 2021.

Note: Standing Orders in **bold** type reflect mandatory statutory or legal requirements and may not be suspended or materially altered.

1. MEETINGS

1.1 Notice of a meeting (including how the meeting may be accessed remotely) must be published electronically and in a conspicuous place in the community at least three clear days before the meeting.

1.2 **The minimum three clear days does not include the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**

1.3 In exceptional circumstances, a meeting of a committee of the council may be called at shorter notice. In which case, notices should be published with at least 24 hours' notice.

1.4 Remote meetings are where the council needs to take reasonable steps to allow meetings to be held from multiple locations. If the arrangements are revised or replaced the new arrangements must also be published. The minimum requirement is that members are able to hear and be heard by others.

1.5 Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public and the press's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the exclusion from the meeting.

1.6 Meetings may be recorded, photographed, broadcast or transmitted by members of the public or press provided this does not disrupt proceedings and does not breach any resolution excluding the public and press.

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

1.8 A Councillor or a non-Councillor with voting rights who has a personal or prejudicial interest in a matter being considered at a meeting which limits or restricts their right to participate in a discussion or vote on that matter is subject to obligations in the code of conduct adopted by the Council.

1.9 **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council (or of the committee) are present and in no case shall the quorum of a meeting be less than three.**

1.10 **If a meeting is or becomes inquorate no business shall be transacted.** If a quorum is not

present within ten minutes of the start time of a meeting or if during a meeting the number of Councillors present, not counting those debarred by reason of a declared interest, falls below the required quorum, the meeting shall be adjourned, and business not transacted shall be transacted at the next meeting or on such other day as the Chair may decide.

1.11 In an election year the Annual Council Meeting shall be held on or within 14 days following the day on which the Members elected take office.

1.12 In a year that is not an election year the Annual Council Meeting shall be held on a date in May as the Council decides.

1.13 In addition to the annual meeting of the Council, any number of other ordinary meetings may be held each year on such dates and times as the Council decides.

1.14 A meeting shall not exceed a period of **2** hours except at the discretion of the Chair. Any business not transacted shall be carried over to the next meeting or such other date the Chair may decide.

2. SPECIAL MEETINGS

2.1 The Chair of the Council or a Committee may summon an extraordinary meeting at any time.

2.2 The Chair of the Council may convene an extraordinary meeting of the Council at any time. If the Chair does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The notice giving the time, place and agenda for such meeting shall be signed by the two Councillors.

3. CHAIRING COUNCIL MEETINGS

3.1 Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Deputy-Chair of the Council.

3.2 The Chair of the Council (Mayor), if present, shall preside at a meeting of the Council. If the Chair is absent from a meeting, the Deputy Chair (Deputy Mayor) of the Council, if present, shall preside.

3.3 If both the Chair and the Deputy Chair are absent from a council meeting, a Councillor, as chosen by the Councillors present at the meeting shall preside at the meeting.

3.4 The person presiding at all meetings may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.

4. VOTING

4.1 Subject to a meeting being quorate, all decisions at a meeting shall be decided by a majority of the Councillors and non-councillors with voting rights present and voting.

4.2 Councillors shall vote by a show of hands. Voting for the positions of Mayor and Deputy Mayor, however, shall be conducted by a secret ballot. Secret ballots shall be administered by the Proper Officer in the presence of at least one other Councillor. The result only shall be recorded

in the minutes.

4.3 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 settled by the casting vote exercisable by the Chair of the meeting.

4.4 The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.

4.5 At the request of a Councillor, the voting on any proposal shall be recorded so as to show whether each Councillor present and voting gave their vote for or against that proposal. Such a request shall be made before moving on to the next item of business on the agenda and such a record shall also show Councillors present but abstaining from voting.

4.6 A Councillor or a non-councilor with voting rights who has a personal or prejudicial interest in a matter being considered at a meeting which limits or restricts their right to participate in a discussion or vote on that matter is subject to obligations in the code of conduct adopted by the Council.

5. ORDER OF BUSINESS

5.1 A Councillor wanting to receive the summons in writing rather than electronically must give notice in writing to the clerk and specify the postal address to which the summons should be sent.

5.2 At the Annual Council Meeting the first business shall be to:

a) **Elect a Chair (the Mayor).**

b) **The Chair of the Council, unless they have resigned or become disqualified, shall continue in office, and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**

c) **The Deputy-Chair (the Deputy Mayor), of the Council, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**

d) **In an election year, if the current 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 Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**

e) **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**

5.3 In an election year, to receive the acceptance forms from all Councillors.

5.4 In a year which is not an election year, delivery by the Chair of the Council of their acceptance of office form.

5.5 Elect a Deputy Mayor

5.6 Decide when any declarations of acceptance of office which have not been received as provided by law shall be received.

5.7 Receive apologies for absence.

5.8 Receive any Declarations of Interest and to consider any dispensation requests.

5.9 Approve a committee structure and the terms of refence and delegations for those committees.

5.10 Appoint members to committees.

5.11 Determine the time and place of ordinary meetings of the Council and committees up to and including the next annual meeting of the Council.

5.12 Review the nominations or the work with external bodies and arrangements for reporting back.

5.13 Review and adopt appropriate Standing Orders and Financial Regulations.

5.14 Review the inventory of land and other assets including buildings and office equipment.

5.15 **At every meeting of the Council other than the Annual Meeting the first business shall be to appoint a person to preside if the Mayor and Deputy Mayor are absent or have not arrived within 10 minutes of the pre-determined start time.**

5.16 After the first business of the Annual Council Meeting has been completed and for all other meetings, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:

a) Deal with business expressly required by statute to be done before any other business.

b) Receive the Mayor's report and any such communications as the Mayor may wish to lay before the Council.

c) Receive reports from the County Councillors.

d) Consider motions in the order in which they have been notified.

e) Answer questions pursuant to Standing Order 10.

f) Confirm the accuracy of the minutes of the last meeting of the Council.

g) Receive the minutes of the meetings of committees since the last Council meeting.

h) Consider recommendations made by a committee.

i) Dispose of business, if any, remaining from the last meeting.

j) Consider any other matters specified in the summons.

k) Consider confidential and exempt matters.

5.17 In a non-election year, at the Council meeting immediately prior to the Annual Meeting of the Council, the Council may indicate an intended nomination for Mayor for the forthcoming municipal year.

6. STANDING COMMITTEES

6.1 The Council may at its Annual Council Meeting appoint standing committees and may at any other time appoint such other committees as are necessary and:

a) Shall determine the terms of reference for each Committee.

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

c) The members of a Committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.

d) May appoint persons other than Members of the Council to any advisory committee.

e) May at any time dissolve a committee or alter its membership.

6.2 The Mayor and Deputy Mayor, by virtue of office (ex-officio), shall be voting members of every committee except the HR Committee.

6.3 Every committee shall, at its first meeting before proceeding to any other business, elect a Chair and a Deputy Chair who shall hold office until the next Annual Council Meeting.

6.4 At every meeting the first business shall be to appoint a Chair if the Chair and Deputy Chair are absent or have not arrived within 10 minutes of the pre-determined start time.

6.5 Every committee may appoint working groups for purposes specified by the Committee, working groups shall not make binding decisions on behalf of the Council.

6.6 The Chair and Deputy Chair of the Committee shall be members of every working group appointed by it unless they signify that they do not wish to serve.

6.7 The Standing Orders on Public Participation 7 and Rules of Debate 11 (except those relating to only speaking once), shall apply to committee meetings.

6.8 No substantive business shall be transacted at a meeting unless specified on the agenda, except where the Chair determines that an item is urgent and cannot reasonably be deferred to a future meeting. The reason for urgency shall be recorded in the minutes.

6.9 The agenda for a Committee meeting shall be sent electronically to all Members of the Council, such members of the press who request notification of meetings and advertised on public noticeboards,

although failure to comply with this Standing Order shall not invalidate the proceedings of the Committee.

7 PUBLIC PARTICIPATION

7.1 Members of the public shall be allowed to address the Council on a matter before the Council on the following conditions.

a) That they make their intention known to the Clerk by 5pm on the working day prior to the day of the meeting.

b) A person who speaks at a meeting shall direct their comments to the Chair of the meeting.

c) Where a number of people wish to make similar representations, they are prepared to select one person from amongst their number to speak for them all.

d) That where different people wish to speak on each side of an issue then each side may appoint one member to represent their views.

e) That no member of the public may speak for more than **5** minutes, and that total public participation lasts for no longer than **15** minutes.

f) A record of the public participation session at a meeting shall be included in the minutes of that meeting.

g) Public participation in a particular item of business may take place at the start of that item of business.

h) A question raised shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.

8. NOTICES OF MOTION REQUIRING WRITTEN NOTICE

8.1 A motion shall relate to the responsibilities of the meeting for which it is tabled and, in any event, shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

8.2 No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Clerk at least **7** clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

8.3 If the Clerk considers the wording of a motion received in accordance with standing order 8.2 is not clear in meaning, the motion shall be returned to the mover for clarification so that it can be understood and resubmitted in writing to the Clerk at least 5 clear days before the meeting.

8.4 If the wording or subject of a proposed motion is considered improper, the Clerk 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 in the agenda or rejected.

8.5 The decision of the Clerk as to whether or not to include the motion on the agenda shall be final.

Where a motion is rejected, the reasons shall be provided in writing to the mover and reported to the next meeting of the Council.

8.6 Motions rejected shall be recorded with an explanation by the Clerk of the reason for rejection.

8.7 Motions received shall be recorded and numbered in the order that they are received.

8.8 The Clerk shall insert in the summons for every meeting all notices of motion given in the order in which they have been received unless the Councillor giving a notice of motion has stated in writing that they intend to move at some later meeting or that they withdraw it.

8.9 A motion when notice is given shall be proposed as written and seconded before it is debated.

8.10 If a motion specified in the summons is removed either by the Councillor giving it or some other Councillor on their behalf, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

8.11 If the subject matter of a notice of motion comes within the competence of a Committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such Committee or to such other Committee as the Council may determine for report; provided that the Chair, if they consider it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

8.12 A Motion to add or vary or revoke one or more of the Council's Standing Orders, not mandatory by law, shall be proposed by a special motion, the written notice must be signed by at least 5 councillors or 50% of total membership.

9 MOTIONS THAT MAY BE PROPOSED WITHOUT WRITTEN NOTICE

9.1 Motions dealing with the following matters may be proposed without written notice:

a) To appoint a Chair of the meeting.

b) To correct the minutes on a matter of accuracy.

c) To approve the minutes.

d) To consider a newly raised dispensation request.
e) To alter the order of business.

f) To proceed to the next business.

g) To close or adjourn the debate.

h) To adjourn or close the meeting.

i) To refer a matter to a Committee.

j) To appoint a Committee or any members thereof.

k) To appoint a Working Group or any members thereof.

l) To exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest.

m) To adopt a report.

n) To amend a motion.

o) To give leave to withdraw a motion or an amendment.

p) To extend the time limit for speaking.

q) To silence or eject from the meeting a Councillor named for disorderly conduct.

r) To give the consent of the Council where such consent is required by these Standing Orders.

s) To suspend a particular standing order (unless it reflects mandatory statutory or legal requirements).

t) To suspend any Standing Order to allow an open discussion outside the normal rules of debate, provided that no formal decision shall be taken until the normal rules of debate are resumed.

10. QUESTIONS

10.1 A Councillor may ask the Mayor any question concerning the business of the Council. Any such questions shall be put when the item "Member's Questions" on the Agenda is reached.

10.1(a) No Councillor may ask more than two questions under this item without the consent of the Chair.

10.1(b) Questions shall be concise and shall not be used to make statements, introduce new business, advance arguments or circumvent the motions process.

10.1(c) The Chair may require a question to be rephrased or may rule a question out of order if it does not relate to the business of the Council.

10.2 A Councillor may ask the Chair of a Committee any question upon the minutes or report of the Committee laid before the Council if the question is put before the Council's consideration of those procedures is finished.

10.3 Every question shall be put and answered without discussion and no debate shall be allowed.

10.4 Where the reply cannot conveniently be given orally, it shall be deemed a sufficient reply if given in writing and circulated to Councillors with the minutes of the meeting at which the question was asked.

11. RULES OF DEBATE

11.1 Motions on the agenda shall be considered in the order that they appear unless the order is changed

at the discretion of the Chair of the meeting.

11.2 A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

11.3 A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.

11.4 If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.

11.5 An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

11.6 If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.

11.7 A Councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

11.8 If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair of the meeting.

11.9 Subject to standing order 11.10, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.

11.10 One or more amendments may be discussed together if the Chair of the meeting considers this expedient, but each amendment shall be voted upon separately.

11.11 A Councillor may not move more than one amendment to an original or substantive motion.

11.12 The mover of an amendment has no right of reply at the end of debate on it.

11.13 Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

11.14 Unless permitted by the Chair of the meeting, a Councillor may speak only once in the debate on a motion except to:

a) Speak on an amendment moved by another Councillor.

b) Move or speak on another amendment if the motion has been amended since they last spoke.

c) Make a point of order.

d) Give a personal explanation; or

e) Exercise a right of reply.

11.15 During the debate on 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 they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.

11.16 A point of order shall be decided by the Chair of the meeting and their decision shall be final.

11.17 When a motion is under debate, no other motion shall be moved except:

a) To amend the motion.

b) To proceed to the next business.

c) To adjourn the debate.

d) To put the motion to a vote.

e) To ask a person to be no longer heard or to leave the meeting.

f) To refer a motion to a committee or sub-committee for consideration.

g) To exclude the public and press.

h) To adjourn the meeting.

i) To suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

11.18 Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.

11.19 If any motion proposed would, in the opinion of the Chair, if carried, substantially increase the expenditure upon any service which is under the management of, or reduce the revenue at the disposal of, any Committee, or would include Capital expenditure, it shall, when proposed and seconded stand adjourned without discussion, until such time as any Committee affected by it has reported on the matter.

11.20 Excluding motions moved under Standing Order 9, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed **5** minutes without the consent of the Chair of the meeting.

11.21 A Councillor must raise their hand when wishing to speak and will only speak when given permission by the Chair.

11.22 A Councillor shall address the Chair when speaking.

11.23 If two or more Councillors raise their hands to speak, the Chair shall decide whom to call upon and the other will remain silent.

11.24 Whenever the Chair speaks during a debate all other Councillors shall be silent.

11.25 When a Councillor is speaking other Councillors will be silent unless rising on a point of order or a personal explanation.

11.26 Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.

12. POINT OF ORDER AND PERSONAL EXPLANATION

12.1 A Councillor may rise on a point of order or in personal explanation and shall be entitled to be heard without delay.

12.2 A point of order shall relate only to the alleged breach of a Standing Order or statutory provision and the Councillor shall specify the Standing Order or the statutory provision and the way in which they consider it has been broken.

12.3 A personal explanation shall be confined to some material part of a former speech by them, which may appear to have been misunderstood in the present debate.

12.4 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.

13 MINUTES

13.1 If the draft minutes of a preceding meeting have been served on Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

13.2 There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with Standing Order 9.1b.

13.3 The accuracy of draft minutes, including any amendment(s) made to them, 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.

13.4 The Chair shall initial each page and sign the last page of the minutes.

13.5 Subject to standing order 13.3 and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes, or recordings of the meeting for which approved minutes exist shall be destroyed.

13.6 No later than seven working days after a Council meeting, the Council must publish electronically a note setting out:

a) The names of the Councillors who attended the meeting, and any apologies for absence.

b) Any declarations of interest.

c) **Any decisions taken at the meeting, including the outcomes of any votes.**

13.7 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.

14. DECISIONS AND REVERSAL OF PREVIOUS RESOLUTION

14.1 All actions which are to be decided by Council will be proposed and seconded.

14.2 If the conduct of a meeting prevents the proper determination of a resolution under standing order 4.1, the Chair may take reasonable steps to restore order or progress the meeting, including temporarily suspending or closing the meeting.

14.3 A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special motion, the written notice which bears the signature of at least **5 members or 50%** Members of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee.

14.4 When a special resolution or any other resolution proposed under 14.3 has been disposed of, no similar resolution may be moved within a further six months.

15. PROPER OFFICER

15.1 Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, they shall be the Town Clerk/RFO, or other employee nominated by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Council's Proper Officer shall do the following: -

a) Hold and retain declarations of acceptance of office.

b) Hold a copy of every Member's register of interest where the Council has resolved to require councillors to declare interests upfront; and any changes to it and keep copies of the same available for inspection.

c) **Convene a meeting of Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office.**

d) **At least 3 clear days before a Council or Committee meeting, not including Sunday or Public Holidays, sign and serve on Members a summons to attend the meeting, by delivery, post or electronic means confirming the date, and venue including how the meeting may be accessed virtually.**

e) Give public notice at least 3 clear days before the meeting not including Sunday or Public Holidays of the date, venue, how the meeting may be accessed virtually and the agenda.

f) The notice must be available in a conspicuous place and published electronically and, as far as reasonably practicable, any documents relating to the business to be transacted at the meeting be made available unless they relate to business which is likely to be considered in private or if their disclosure would be contrary to any enactment.

g) **Receive copies of byelaws made by other local authorities.**

h) Arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations.

i) Manage the organisation of, storage of, access to, security of and destruction of 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).

j) Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.

k) Keep proper records required before and after Council meetings.

l) Arrange for legal deeds to be executed.

m) Manage access to information about the Council via the publication scheme.

n) Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 2018, in accordance with and subject to the Council's procedures relating to such matters.

o) Act on or take on responsibilities instructed by resolution or contained in Standing Orders.

16. RESPONSIBLE FINANCIAL OFFICER

16.1 The Town Clerk shall be the Responsible Financial Officer unless otherwise resolved by the Council. The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer during the Responsible Financial Officer's absence.

17. CODE OF CONDUCT AND DISPENSATIONS

17.1 Councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

17.2 All Councillors and non-councillors with voting rights shall undertake training in the code of conduct within six months of signing their declaration of acceptance of office.

17.3 Dispensation requests shall be in writing and submitted to the standards committee of Conwy County Borough Council as soon as possible before the meeting that the dispensation is required for.

18. DISORDERLY CONDUCT

18.1 All Councillors shall observe the Code of Conduct adopted by the Council.

18.2 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this Standing Order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.

18.3 If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct,

any Councillor or the Chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

18.4 If a resolution made under standing order 18.3 is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

18.5 No Councillor shall at a meeting persistently disregard the ruling of the Chair, willfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.

18.6 If, in the opinion of the Chair, a Councillor has acted in a manner contrary to 18.5 or 18.1, the Chair shall express that opinion to the Council and thereafter any Councillor may move that the Councillor named be no longer heard or that the Councillor named leaves the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

18.7 If these Standing Orders are disobeyed, the Chair may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

19. DELEGATION OF URGENT AND ROUTINE MATTERS

19.1 The Town Clerk/RFO has the delegated authority to undertake the following matters on behalf of the Council:

a) The day-to-day administration of services, facilities and assets together with routine inspection and control.

b) Management of all staff on a day-to-day basis.

c) Authorisation of routine expenditure within the agreed budget.

d) Emergency expenditure up to £1000 outside the agreed budget, any such expenditure shall be reported to the next meeting of the Council.

e) To institute, defend and appear in any legal proceedings authorised by the Council.

f) To appear or make representations to any tribunal or public inquiry into any matter in which the Council has an interest in its own right or on behalf of the residents of Penmaenmawr.

g) To negotiate draft terms of any lease, licence, conveyance or transfer for consideration and approval by the Council.

h) Variations of restrictive covenants of a routine nature.

i) To determine the Council's accounting system and the form of the accounts and supporting accounting records.

j) The proper administration of the Council's Financial Regulations and submitting revisions to the Council for approval.

k) To act as the Council's designated officer for the purpose of the Freedom of

Information Act 2000.

l) Recruitment of personnel and staff shall be undertaken by the Town Clerk/RFO in conjunction with the HR Committee.

19.2 Delegated actions of the Town Clerk/RFO shall be in accordance with Standing Orders, Financial Regulations, Contracts and Procurement and this scheme of Delegations and with directions given by the Council from time to time.

20. MANAGEMENT OF INFORMATION

20.1 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.

20.2 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).

20.3 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.

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

21. ACCOUNTS AND ACCOUNTING STATEMENTS

21.1 "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils in Wales – A Practitioners' Guide."

21.2 All payments by the Council shall be authorised, approved, and paid in accordance with the law, proper practices, and the Council's financial regulations.

21.3 The Town Clerk/RFO shall supply to each Councillor as soon as practicable after 30 June, 30 September, and 31 December in each year a statement to summarise:

a) The Council's income and expenditure for each quarter.

b) The Council's aggregate income and expenditure for the year to date.

c) The balances held at the end of the quarter being reported and include a comparison with the budget for the financial year and highlight any actual or potential overspends.

21.4 As soon as practicable after the financial year end on 31 March, the Town Clerk/RFO shall provide:

a) Each Councillor with a statement summarising the Council's income and expenditure for the

last quarter and the year to date for information.

b) To the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.

21.5 The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (income and expenditure), for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all Councillors at least 7 days prior to anticipated approval by the Council.

21.6 The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

22. FINANCIAL CONTROLS AND PROCUREMENT

22.1 The Council shall consider and approve financial regulations drawn up by the Town Clerk/RFO, which shall include detailed arrangements in respect of the following:

a) The keeping of accounting records and systems of internal controls.

b) The assessment and management of financial risks faced by the Council.

c) The work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually.

d) The inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments.

e) Whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.

22.2 Financial Regulations shall be reviewed regularly and at least annually for fitness of purpose by the Governance & Finance Committee.

22.3 A public contract with an estimated value in excess of £25,000 but below the applicable procurement thresholds in force at the time shall be procured in accordance with all relevant procurement legislation, statutory guidance and transparency requirements, unless procured through an appropriate framework agreement, open framework or dynamic market.

22.4 Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services, or the execution of works shall include, as a minimum, the following steps:

a) A specification for the goods, materials, services, or the execution of works shall be drawn up.

b) An invitation to tender shall be drawn up to confirm i) the Council's specification, ii) the time, date, and address for the submission of tenders, iii) the date of the Council's written response to the tender and iv) the prohibition on prospective contractors contacting Councillors or staff to

encourage or support their tender outside the prescribed process.

c) The invitation to tender shall be advertised electronically and in any other manner considered appropriate by the Council.

d) Tenders shall be submitted in writing or by secure electronic means in accordance with the invitation to tender.

e) Tenders shall be opened by the Clerk in the presence of at least one Councillor following the submission deadline.

f) Tenders are to be reported to and considered by the appropriate meeting of the Council or a committee with delegated responsibility.

22.5 Neither the Council, nor a committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

22.6 Where the value of a contract is likely to exceed the applicable procurement thresholds in force at the time, the Council shall comply with all relevant procurement legislation, statutory guidance and transparency requirements, including the Procurement Act 2023 and any applicable Welsh procurement legislation or guidance.

23. RESPONSIBILITIES TO PROVIDE INFORMATION

23.1 In accordance with freedom of information and data protection legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.

24. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

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

24.2 The Council shall have a written policy in place for responding to and managing personal data breaches.

24.3 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.

24.4 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.

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

25. RELATIONS WITH THE PRESS/MEDIA

25.1 Requests from the press, media or digital/media platforms for an oral or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

26. EXECUTION AND SEALING OF LEGAL DEEDS

26.1 A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

26.2 **Subject to standing order** 26.1, **any two Councillors may sign on behalf of the Council any deed required by law and the Proper Officer shall witness their signatures.**

27. COMMUNICATING WITH COUNTY BOROUGH COUNCILLORS

27.1 An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward Councillors of Conwy County Borough Council (CCBC), representing the area of the Council.

27.2 Unless the Council determines otherwise, a copy of each letter sent to CCBC shall be sent to the ward Councillors representing the area of the Council.

28. RESTRICTIONS ON COUNCILLOR ACTIVITIES

28.1 Unless duly authorised, no Councillor shall:

a) Inspect any land and/or premises which the Council has a right or duty to inspect.

b) Issue orders, instructions or directions to Council staff, contractors or agents.

29. CONFIDENTIAL BUSINESS

29.1 Councillors shall not disclose information given in confidence or which they know, or ought to be aware, is of a confidential nature.

29.2 Any Councillor in breach of Standing Order 29.1 may be removed from any committee by a resolution of the Council following consideration of the matter.

29.3 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 the Committee (as the case may be) has decided whether or not the power of exclusion under Section 1(2) of the Public Bodies (Admission to Meetings) 1960 Act shall be exercised.

30. STANDING ORDERS GENERALLY

30.1 All or part of a Standing Order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

30.2 A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least **5** Councillors or **50%** of the total membership of the Council to be given to the Clerk in accordance with Standing Order 9.

30.3 The Clerk will give every Member of the Council a copy of these Standing Orders on receipt of the Councillors' Declaration of Acceptance of Office.

30.4 The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

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