

## **AUDIT AND GOVERNANCE COMMITTEE**

Date: Wednesday 19 September 2018  
Time: 5.30 pm  
Venue: Rennes Room - Civic Centre

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Mark Devin, Democratic Services Officer on 01392 265477.

Entry to the Civic Centre can be gained through the Customer Services Centre, Paris Street.

### *Membership -*

Councillors Vizard N (Chair), Wood (Deputy Chair), Begley, Foggin, Mrs Henson, Lamb, Musgrave, Pattison, Sheldon, Thompson and Warwick

### Agenda

#### **Part I: Items suggested for discussion with the press and public present**

1 **Apologies**

To receive apologies for absence from Committee Members.

2 **Minutes**

To sign the minutes of the meeting held on 25 July 2018.

3 **Declaration of Interests**

Councillors are reminded of the need to declare any discloseable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion on the item. Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4 **Local Government (Access to Information ) Act - Exclusion of Press and Public**

**RESOLVED** that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of item 8 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1, Schedule 12A of the Act.

- 5 **External Progress Report and Annual Audit Letter**  
To consider the report of the Council's External Auditor. (Pages 3 - 20)
- 6 **Internal Audit Progress Report**  
To consider the report of the Audit Managers. (Pages 21 - 32)
- 7 **Governance Review**  
To consider the report of the Corporate Manager Democratic & Civic Support. (Pages 33 - 64)

**Part II: Items suggested for discussion with the press and public excluded**

- 8 **Corporate Governance Risk Register (Quarterly Review)**  
To consider the report of the Corporate Manager Policy, Communications and Community Engagement. (Pages 65 - 80)

**Date of Next Meeting**

The next **Audit and Governance Committee** will be held on Wednesday 5 December 2018 at 5.30 pm

Find out more about Exeter City Council by looking at our website <http://www.exeter.gov.uk> . This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact the Democratic Services Officer (Committees) on 01392 265107 for further information.

**Follow us:**

[www.twitter.com/ExeterCouncil](http://www.twitter.com/ExeterCouncil)

[www.facebook.com/ExeterCityCouncil](http://www.facebook.com/ExeterCityCouncil)

**Individual reports on this agenda can be produced in large print on request to Democratic Services (Committees) on 01392 265111**



# External audit progress report

Exeter City Council  
September 2018

# Contents

**The contacts at KPMG in connection with this report are:**

**Darren Gilbert**

Director

KPMG LLP (UK)

Tel: +44 (0) 292 046 8205

darren.gilbert@kpmg.co.uk

**Rob Andrews**

Manager

KPMG LLP (UK)

Tel: +44 (0)117 905 4773

rob.andrews@kpmg.co.uk

**External audit progress report**

**Appendices**

1. 2017/18 audit deliverables

**Page**

2

5

Page 4

This report provides the Audit Committee with an overview on progress in delivering our responsibilities as your external auditors.

The report also highlights the main technical issues which are currently having an impact in local government.

If you require any additional information regarding the issues included within this report, please contact a member of the audit team.

This report is addressed to the Authority and has been prepared for the sole use of the Authority. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. We draw your attention to the Statement of Responsibilities of auditors and audited bodies, which is available on Public Sector Audit Appointment's website ([www.psa.co.uk](http://www.psa.co.uk)).

External auditors do not act as a substitute for the audited body's own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

We are committed to providing you with a high quality service. If you have any concerns or are dissatisfied with any part of KPMG's work, in the first instance you should contact Darren Gilbert, the engagement lead to the Authority, who will try to resolve your complaint. If you are dissatisfied with your response please contact the national lead partner for all of KPMG's work under our contract with Public Sector Audit Appointments Limited, Andrew Sayers, by email to [Andrew.Sayers@kpmg.co.uk](mailto:Andrew.Sayers@kpmg.co.uk). After this, if you are still dissatisfied with how your complaint has been handled you can access PSAA's complaints procedure by emailing [generalenquiries@psaa.co.uk](mailto:generalenquiries@psaa.co.uk) by telephoning 020 7072 7445 or by writing to Public Sector Audit Appointments Limited, 3rd Floor, Local Government House, Smith Square, London, SW1P 3HZ.

# External audit progress report

This document provides the audit committee with a high level overview on progress in delivering our responsibilities as your external auditors.

At the end of each stage of the audit we issue certain deliverables, including reports and opinions. A summary of progress against these deliverable is provided in Appendix 1 of this report.

Page 5

Area of responsibility	Commentary
Financial statements	An unqualified opinion was issued on the financial statements on 25 July 2018 and reported through our ISA 260 at the last Audit Committee.
Value for Money	An 'except for' qualified Value for Money opinion was issued on 25 July 2018 and reported through our ISA 260 at the last Audit Committee.
Certification of claims and returns	<p>The Housing Benefit certification work is currently underway. We anticipate reporting to DWP by the 30 November deadline. A verbal update will be provided to the Audit and Governance Committee.</p> <p>We will be completing our work on the return for Pooling of Housing Capital Receipts following release of the national guidance.</p> <p>Our Annual report on grants and returns will be presented to next Audit &amp; Governance Committee.</p>
Other work	There is no other work ongoing currently.



# Appendix

## Appendix 1

# 2017/18 audit deliverables

Deliverable	Purpose	Timing	Status
<b>Planning</b>			
Fee letter	Communicate indicative fee for the audit year	April 2017	Complete
External audit plan	Outline our audit strategy and planned approach Identify areas of audit focus and planned procedures	February 2018	Complete
<b>Substantive procedures</b>			
Report to those charged with governance (ISA 260 report)	Details the resolution of key audit issues. Details and resolution of control and process issues. Communication of adjusted and unadjusted audit differences. Performance improvement recommendations identified during our audit. Commentary on the Council's value for money arrangements.	July 2018	Complete

Page 7

## Appendix 1

# 2017/18 audit deliverables (cont.)

Page 8

Deliverable	Purpose	Timing	Status
<b>Completion</b>			
Auditor's report	Providing an opinion on your accounts (including the Annual Governance Statement). Concluding on the arrangements in place for securing economy, efficiency and effectiveness in your use of resources (the VFM conclusion).	July 2018	Complete
WGA	Concluding on the Whole of Government Accounts consolidation pack in accordance with guidance issued by the National Audit Office.	July 2018	Complete
Annual audit letter	Summarise the outcomes and the key issues arising from our audit work for the year.	August 2018	Complete
<b>Certification of claims and returns</b>			
Certification of claims and returns report	Summarise the outcomes of certification work on your claims and returns for Government departments.	December 2018	Ongoing



© 2018 KPMG LLP, a UK limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative (“KPMG International”), a Swiss entity. All rights reserved.

The KPMG name and logo are registered trademarks or trademarks of KPMG International.

This page is intentionally left blank



# Annual Audit Letter 2017/18

**Exeter City Council**

---

August 2018



A group of business professionals in a meeting, looking at documents. The image is a close-up, slightly blurred, showing the heads and shoulders of several people. A woman with dark hair is on the left, looking down. A man with grey hair is in the center, also looking down. A woman with dark hair is on the right, looking down. They are all wearing business attire. The background is out of focus.

**Section one**

# Summary for Audit and Governance Committee

# Summary for Audit and Governance Committee

This Annual Audit Letter summarises the outcome from our audit work at Exeter City Council (“the Authority”) in relation to the 2017-18 audit year.

Although it is addressed to Members of the Authority, it is also intended to communicate these key messages to key external stakeholders, including members of the public, and will be placed on the Authority’s website.

## Audit opinion

We issued an unqualified opinion on the Authority’s financial statements on 25 July 2018. This means that we believe the financial statements give a true and fair view of the financial position of the Authority and of its expenditure and income for the year.

## Financial statements audit

Our audit procedures are designed to identify misstatements which are material to our opinion on the financial statements as a whole. Materiality for the Authority’s accounts was set at £2 million which equates to around 1.9 percent of gross expenditure. We design our procedures to detect errors in specific accounts at a lower level of precision.

We report to the Audit and Governance Committee any misstatements of lesser amounts, other than those that are “clearly trivial”, to the extent that these are identified by our audit work. In the context of the Authority, an individual difference is considered to be clearly trivial if it is less than £95,000 for the Authority.

We identified one audit adjustment with a total value of £10 million, reflected the final accounts published by the Council. This adjustment resulted in a no change in the reported surplus on provision of services.

Our audit work was designed to specifically address the following significant risks:

- **Management Override of Controls** – Professional standards require us to communicate the fraud risk from management override of controls as significant because management is typically in a unique position to perpetrate fraud because of its ability to manipulate accounting records and prepare fraudulent financial statements by overriding controls that otherwise appear to be operating effectively. Our audit methodology incorporates the risk of management override as a default significant risk. We have not identified any specific matters arising relating to this audit;
- **Valuation of PPE** – As part of our audit work, we assessed the processes the Authority has in place for valuations and confirmed that these were appropriate and that the valuations of property assets were made using reasonable assumptions, including those assets not subject to revaluation in the year. We have evaluated the expertise of the preparer of the valuation report to ensure that they are sufficiently skilled and appropriately qualified such that we can rely on them for the provision of audit evidence;
- **Pensions Liabilities** – The valuation of the Authority’s pension liability, as calculated by the Actuary, is dependent upon both the accuracy and completeness of the data provided and the assumptions adopted. We reviewed the processes in place to ensure completeness and accuracy of data provided to the Actuary and considered the assumptions used in determining the valuation. We liaised with the auditors of the Pension Fund in order to gain an understanding of the effectiveness of those controls that they operate; and
- **Faster Close** – The timetable for the production of local authorities financial statements was significantly advanced with draft accounts having to be prepared by 31 May (2017: 30 June) and the final accounts signed by 31 July (2017: 30 September). We reviewed the closedown plan for accounts production and monitored progress against these deadlines. We are pleased to confirm that we received draft accounts in advance of the revised deadline and were able to issue our opinion prior to the 31 July deadline.

## Section one:

# Summary for Audit and Governance Committee (cont.)

## Other information accompanying the financial statements

Whilst not explicitly covered by our audit opinion, we review other information that accompanies the financial statements to consider its material consistency with the audited accounts. This year we reviewed the Annual Governance Statement and Narrative Report. We concluded that they were consistent with our understanding and did not identify any issues.

## Whole of Government Accounts

The Authority prepares a consolidation pack to support the production of Whole of Government Accounts by HM Treasury. We are not required to review your pack in detail as the Authority falls below the threshold where an audit is required. As required by the guidance we have confirmed this with the National Audit Office.

## Value for Money conclusion

We issued a qualified conclusion on the Authority's arrangements to secure value for money (VFM conclusion) for 2017-18 on 25 July 2018. This means we are satisfied that during the year the Authority had appropriate arrangements for securing economy, efficiency and effectiveness in the use of its resources except for the matter identified below in relation to procurement.

To arrive at our conclusion we looked at the Authority's arrangements to make informed decision making, sustainable resource deployment and working with partners and third parties.

## Value for Money risk areas

We undertook a risk assessment as part of our VFM audit work to identify the key areas impacting on our VFM conclusion and considered the arrangements you have put in place to mitigate these risks.

Our work identified the following significant matters:

- **Delivery of Budgets** – As a result of reductions in central government funding, and other pressures, all Authority's are having to make additional savings beyond maintaining those from prior years and also pursue income generation strategies. We reviewed the processes in place to ensure financial resilience, specifically that the Medium Term Financial Plan has duly taken into consideration relevant factors and sensitivity analysis. We also considered the way in which the Authority identified, approved, and monitored both savings plans and income generation projects and how budgets were monitored throughout the year. The Council has a clear understanding of these pressures in the medium term, and has plans in place to address them. However it will be important for the financial resilience of the Council to be monitored by members as it will continue to remain under pressure in the coming years; and
- **Procurement** – We have reviewed the progress made by the Authority against its procurement action plan and have concluded that there has been some progress, such as developing a strategy, starting the process of appointing staff to the procurement department, and self-assessing the Authority's arrangements against the national procurement strategy to identify specific areas of improvement. However, the timing of these improvements and the need still for additional progress to be made, as evidenced by our testing this year, means that we are not yet able to conclude that sufficient improvement has been achieved in strengthening the Authority's procurement arrangements to prevent a continuation of the except for qualification for a third year. The need for improvement in this area therefore remains vital. Members should monitor progress closely to ensure continued and timely improvements to the Council's procurement arrangements are made.

## High priority recommendations

We raised one high priority recommendations as a result of our 2017-18 work.

- Create and approve a severance policy that defines the Council's expected regarding severance packages. This is detailed in Appendix 1 together with the action plan agreed by management.

## Section one:

# Summary for Audit and Governance Committee (cont.)

## Certificate

We issued our certificate on 25 July 2018. The certificate confirms that we have concluded the audit for 2017-18 in accordance with the requirements of the Local Audit & Accountability Act 2014 and the Code of Audit Practice.

## Audit fee

Our fee for 2017-18 was £57,887, excluding VAT (2017: £57,887). Further detail is contained in Appendix 3.

## Exercising of audit powers

We have a duty to consider whether to issue a report in the public interest about something we believe the Authority should consider, or if the public should know about.

We have not identified any matters that would require us to issue a public interest report.



# Appendices

A close-up photograph of a person's right hand holding a silver pen, writing on an orange sticky note attached to a whiteboard. The whiteboard is covered with several other colorful sticky notes in shades of pink, purple, and green. The background is a soft-focus blue wall. The image is split horizontally by a purple band containing the title 'Appendices'.

## Appendix 1:

# High risk recommendations

This appendix summarises the high risk recommendations raised as a result of our audit.

High risk recommendations are defined as those issues that are fundamental and material to your system of internal control. We believe that these issues might mean that you do not meet a system objective or reduce (mitigate) a risk.

Details of lower risk recommendations can be found in our *ISA260 Report 2017-18*.

Risk	Issue & Recommendation	Management Response
1	<p><b>Severance policy</b></p> <p>As part of the review of a senior officer severance package we have identified that the Council does not have severance policy in place, which sets out its expectations for determining severance packages. The Council's practice is to pay a package based on a redundancy calculator and where relevant a pension strain payment. This is done on a case by case basis, and is appropriately approved. Such a policy would set out the Council's stance on whether or not potential discretionary elements of any redundancy or severance package (such as pay in lieu of notice, gardening leave etc.) would ordinarily be included, or not, and therefore allow decision makers to be clear on such matters when considering proposed severance packages. This would not necessarily prevent deviations from the policy, but would reinforce the need for such exceptions to be clearly highlighted and justified, and for this to be specifically considered through the decision making process.</p> <p><b>Risk</b></p> <p>There is a risk that severance decisions may be reached inconsistently or without specific consideration of any discretionary items that are being proposed.</p> <p><b>Recommendation</b></p> <p>Create and approve a severance policy that defines the Council's expected regarding severance packages. This should include, for example, a clear articulation of the expected stance on potential discretionary enhancements to severance packages, the need to specifically highlight any proposed deviations from the approach expected under the policy and the decision making process that should be followed in approving packages.</p>	<p>Agree with the recommendation. The HR team is in the process of updating all of its policies and a new severance policy will be implemented as part of that work.</p> <p><b>Responsible Officer</b></p> <p>City Solicitor &amp; Head of HR Services</p> <p><b>Implementation Deadline</b></p> <p>31 March 2019</p>

## Follow up of previous recommendations

As part of our audit work we followed up on the Authority's progress against previous audit recommendations. Although the Authority has taken actions to address the issues that we have previously highlighted through high priority recommendations, related to procurement, it is still a work in progress, as shown from our VFM audit this year.

## Appendix 2:

# Summary of reports issued

This appendix summarises the reports we issued since our last Annual Audit Letter. These reports can be accessed via the Audit Committee pages on the Authority's website at [www.exeter.gov.uk](http://www.exeter.gov.uk).

### Certification of Grants and Returns

This report summarised the outcome of our certification work on the Authority's 2016-17 grants and returns.

### External Audit Plan

The External Audit Plan set out our approach to the audit of the Authority's financial statements, and to support the VFM conclusion.

### Report to Those Charged with Governance

The Report to Those Charged with Governance summarised the results of our audit work for 2017-18 including key issues and recommendations raised as a result of our observations.

We also provided the mandatory declarations required under auditing standards as part of this report.

### Auditor's Report

The Auditor's Report included our audit opinion on the financial statements along with our VFM conclusion and our certificate.

### Annual Audit Letter

This Annual Audit Letter provides a summary of the results of our audit for 2017-18.

2018

January

February

March

April

May

June

July

August

September

October

## Appendix 3:

# Audit fees

This appendix provides information on our final fees for the 2017-18 audit.

### External audit

Our final fee for the 2017-18 audit of the Authority was £57,887, which is in line with the planned fee.

### Certification of grants and returns

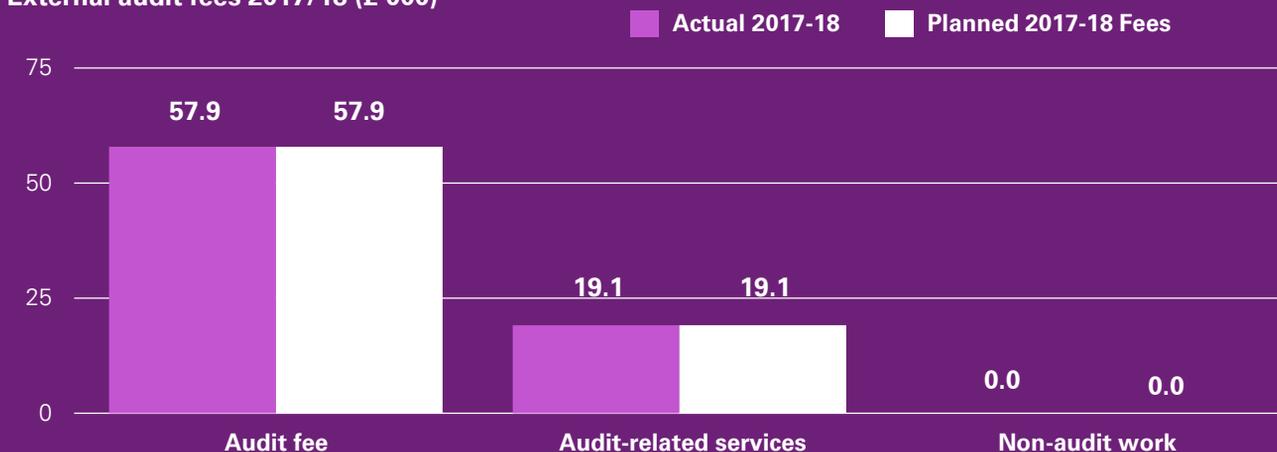
Under our terms of engagement with Public Sector Audit Appointments we undertake prescribed work in order to certify the Authority's housing benefit grant claim. This certification work is still ongoing. The planned fee for this work is £16,100 and the final fee will be confirmed through our reporting on the outcome of the work in November 2018.

We charged £3,000 for additional audit-related services for the certification of the Housing Pooling of Capital Receipts return, which is outside of Public Sector Audit Appointment's certification regime.

### Other services

We did not charge any additional fees for other services.

### External audit fees 2017/18 (£'000)





The key contacts in relation to our audit are:

**Darren Gilbert**

Director

T: +44 292 046 8205

E: [Darren.gilbert@kpmg.co.uk](mailto:Darren.gilbert@kpmg.co.uk)

**Rob Andrews**

Manager

T: +44 117 905 4773

E: [rob.andrews@kpmg.co.uk](mailto:rob.andrews@kpmg.co.uk)

[kpmg.com/uk](http://kpmg.com/uk)



This report is addressed to the Authority and has been prepared for the sole use of the Authority. We take no responsibility to any member of staff acting in their individual capacities, or to third parties. We draw your attention to the Statement of Responsibilities of auditors and audited bodies, which is available on Public Sector Audit Appointment's website ([www.psaa.co.uk](http://www.psaa.co.uk)).

External auditors do not act as a substitute for the audited body's own responsibility for putting in place proper arrangements to ensure that public business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively.

We are committed to providing you with a high quality service. If you have any concerns or are dissatisfied with any part of KPMG's work, in the first instance you should contact Darren Gilbert, the engagement lead to the Authority, who will try to resolve your complaint. If you are dissatisfied with your response please contact the national lead partner for all of KPMG's work under our contract with Public Sector Audit Appointments Limited, Andrew Sayers, by email to [Andrew.Sayers@kpmg.co.uk](mailto:Andrew.Sayers@kpmg.co.uk). After this, if you are still dissatisfied with how your complaint has been handled you can access PSAA's complaints procedure by emailing [generalenquiries@psaa.co.uk](mailto:generalenquiries@psaa.co.uk) by telephoning 020 7072 7445 or by writing to Public Sector Audit Appointments Limited, 3rd Floor, Local Government House, Smith Square, London, SW1P 3HZ.

© 2018 KPMG LLP, a UK limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved.

The KPMG name and logo are registered trademarks or trademarks of KPMG International.

CREATE: CRT086281A

## **REPORT TO AUDIT & GOVERNANCE**

**Date of Meeting: 19th SEPTEMBER 2018**

**Report of: AUDIT MANAGERS**

**Title: INTERNAL AUDIT PROGRESS REPORT 1<sup>ST</sup> QUARTER 1<sup>ST</sup> APRIL TO 30<sup>TH</sup> JUNE 2018**

### **Is this a Key Decision?**

No

\* One that affects finances over £1m or significantly affects two or more wards. If this is a key decision then the item must be on the appropriate forward plan of key decisions.

### **Is this an Executive or Council Function? COUNCIL**

#### **1. What is the report about?**

To report on internal audit work carried out during the period 1<sup>st</sup> April to 30<sup>th</sup> June 2018, to advise on overall progress against the Audit Plan and to report any emerging issues requiring consideration.

#### **2. Recommendations:**

That the Internal Audit Progress Report for the first quarter of the year 2018/19 be noted.

#### **3. Reasons for the recommendation:**

One of the roles of this committee is to review quarterly internal audit reports and the main issues arising and seek assurance from management that action has been taken, where necessary.

#### **4. What are the resource implications including non financial resources.**

None.

#### **5. Section 151 Officer comments:**

Measures to improve governance arrangements arising from internal audit reports that have any financial implications will be reflected in the Council's medium term financial plans as and when they are identified and approved.

#### **6. What are the legal aspects?**

The provision of Exeter City Council's internal audit function is derived from legislation. Section 151 of the Local Government Act 1972 requires that local authorities '...shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs'.

Regulation 3 of The Accounts and Audit Regulations 2015 requires that '[a] relevant authority must ensure that it has a sound system of internal control which –

- (a) Facilitates the effective exercise of its functions and the achievement of its aims and objectives;
  - (b) Ensures that the financial and operational management of the authority is effective;
- and

(c) Includes effective arrangements for the management of risk.

The activities carried out by internal audit and as identified in this report seek to discharge these legislative duties.

## 7. Monitoring Officer's comments:

This report and appendices explains the issues identified by internal audit as requiring attention.

## 8. Report details:

This Committee is responsible for the implementation and active monitoring of audit processes and actions, which includes performance against the annual audit plan, reviewing quarterly internal audit progress reports and seeking responses and assurance from management where remedial action has not been agreed or implemented within a reasonable timescale. The 2018/19 Audit Plan was approved at this Committee on 14th March 2018.

The purpose of Internal Audit is to provide an independent and objective review of the adequacy and effectiveness of the Council's arrangements for internal control, risk management and governance. The activities we audit are given an assurance rating as follows:

Excellent	★★★★★	The areas reviewed were found to be well controlled, internal controls are in place and operating effectively. Risks against achieving objectives are well managed.
Good	★★★★	Most of the areas reviewed were found to be adequately controlled. Generally risks are well managed but a few areas for improvement have been identified.
Some improvement required	★★★	There is a basic control framework in place, but not all risks are well managed and a number of controls are required to be strengthened.
Significant improvement required	★★	Most of the areas reviewed were not found to be adequately controlled. Risks are not well managed and require controls to be strengthened to ensure the achievement of system objectives.
Fundamental weakness	★	Controls are seriously lacking or ineffective in their operation No assurance can be given that the system's objectives will be achieved.

### 8.1 Work Undertaken

Internal Audit's objective is to examine the Council's financial and non-financial systems to check that there are adequate internal controls in place to prevent loss due to frauds, errors and inefficiency, and due attention is paid to corporate governance and risk management.

A summary of progress against the annual audit plan to date is shown at Appendix A, together with the current status of each area for review and the outcomes of the review, where completed.

The table is based on the audit plan and the systems grouped into the fifteen strategic purposes as per the Corporate Plan.

Progress against the annual audit plan is on target. There has been a considerable overspend of time against CIL/S106 and this is due to the additional work requested by Councillor Harvey, as Member Champion for S106. This will be covered by the contingency time built into the plan.

A further summary of the outcomes of audits finalised in this quarter can be found at Appendix B.

I am pleased to report that agreed actions from previous audit reports are being progressed satisfactorily and that there are no instances where remedial action was not agreed by management during this quarter.

## **8.2 Counter Fraud Update**

As agreed at the last meeting an update to the Counter Fraud report is being provided:

- A briefing paper highlighting the current biggest fraud risks and emerging risks, as identified in the Government's Fighting Fraud Locally publication, has been shared with the Senior Management Board by the Chief Finance Officer.
- The Chief Finance Officer is co-ordinating SMB responses to the Serious and Organised Crime checklist, which is being used to provide a high level assessment of the Council's exposure to the risks of this type of crime.
- We are continuing to look into options for counter fraud investigation expertise.

## **8.3 RIPA Inspection Update**

This Committee is responsible for the overview of RIPA activity and as agreed at the last meeting an update on the outcomes of the investigatory Powers Commissioner's Office (IPCO) inspection, which took place on the 25/5/2018, is being provided. The IPCO provided a positive report and found that recommendations made during previous inspections around training and amendments to policy wording had been implemented satisfactorily.

Some new further recommendations around policy wording relating to surveillance were made and also a recommendation to ensure awareness across the Council in relation to the investigative use of the internet and social media and where its use would require authorisation under RIPA.

## **8.4 Governance Issues**

The Council's annual governance statement (AGS) reported that as a result of the audit work that has been undertaken throughout the year no significant issues have been identified. However, the Council continues to make enhancements and improvements to its governance arrangements and an action plan has been compiled which will be subject to regular monitoring by the Audit and Governance Committee

An action plan of the issues identified has been included in Appendix C.

**9. How does the decision contribute to the Council's Corporate Plan?**

Good governance contributes to the Council's purpose of a "Well Run Council".

**10. What risks are there and how can they be reduced?**

N/A

**11. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, community safety and the environment?**

N/A

**12. Are there any other options?**

N/A

Helen Putt & Helen Kelvey  
**Audit Managers**

Local Government (Access to Information) Act 1972 (as amended)  
Background papers used in compiling this report:-  
None

Contact for enquires:  
Democratic Services (Committees)  
Room 2.3  
01392 265275

**EXETER CITY COUNCIL  
AUDIT AND GOVERNANCE COMMITTEE**

**PROGRESS OF 2018/19 AUDIT PLAN AS AT 30/06/18**

Audit Area	Budget Days	Actual Days	Report Status	Direction of travel since last audit	Assurance Rating	Number of findings		
						High	Med	Low

**CX & GD**

- 'Deliver good development'
- 'Help me run a successful business'
- 'Make Exeter a stronger city'
- 'Make Exeter a stronger city'
- 'Make Exeter an Analytical City'
- 'Make Exeter energy independent'
- 'Make Exeter congestion free'

Planning	10	11.4	Final	↓	Some Improvement Required	0	7	1
New Homes Bonus	5	0.2						
CIL/Section 106	5	13.7	Draft					

**Support Services**

'A well run Council'

Main Accounting	12	0.5						
Income Management	13	0	In progress					
Procurement	15	2.4						
Creditors	25	8.1	In progress					
Treasury Management	5	8.2	Draft					
VAT	7	4.6	Draft					
BACS/CHAP	5	0	In progress					
Corporate Governance	8	2.9						
Equalities and diversity	5	0.6						
Risk Management	15	0.7	On going					
Business Continuity Management	10	0.6						
Information Governance	10	0.5						
Counter Fraud	9	4.0	On going					
Contract Management	24	0.9						

Safeguarding	5	0						
Performance Management	10	0						
Due Diligence – District Heating schemes	5	2.1	In progress					
Hospitality and gift disclosures	2	0.2						

**Director – Jo Yelland**

'Help me live well'

'Help me be active'

ICT/Computers/STRATA	6	0.6						
People Management (incl Payroll)	15	1.8	In progress					
Licensing	6	3.5	Draft					
Health and safety	10	1.6						
Disabled Facilities Grants	8	9.8	Draft					

**Director – David Bartram**

'Keep Exeter looking good'

'Fix and maintain our Assets'

CCTV	5	3.7	Draft					
Homecall	5	6.4	Draft					
City Centre (BID)	10	0						

**Director – Jon-Paul Hedge**

'Provide great things for me to see and do'

'Keep me informed'

Museum services	6	0						
-----------------	---	---	--	--	--	--	--	--

**Director – Bindu Arjoon**

'Help me with my housing and financial problems'

'Fix and maintain our Housing Assets'

Housing Benefits	15	0						
Council Tax	13	0.2						
Payments and collection	9	1.9						
Sundry Debtors	8	0						
NDR	10	1.8						
Housing – Housing development, asset management, HRA	5	0						
Housing Needs	10	0						
Housing – private rented, temp accommodation	15	0						

**Other**

RIPA Administration	2	2.5
Contingency (special/frauds) including unplanned work	30	3.0
Follow-ups	8	2.4
Audit Development – Data Analysis/CAAT development/stakeholder survey	19	0.6
Audit planning and control	46	9.8
NFI	2	0
External Audit	2	0.1
<b>Total</b>	<b>470</b>	<b>111.3</b>

This page is intentionally left blank

EXETER CITY COUNCIL  
AUDIT AND GOVERNANCE COMMITTEE

Internal Audit Summary of Work Completed 01 April to 30 Jun 2018

Please note that this is a summary of recommendations only, as to include all recommendations made from each audit report in detail would result in a lengthy document. Members may request a full copy of any report once finalised or alternatively meet with the Audit Manager to discuss specific audits further.

Audit Area	Summary
<p><b>Planning Applications</b></p> <p>Assurance rating: Some Improvement Required ★★★</p>	<p>Targets have been set by Central government for local planning authorities to deal with planning permission applications in a timely manner. The statutory period is 8 weeks for minor applications and within 13 weeks for Major applications.</p> <p>Where a valid application has not been determined within the relevant statutory period (or such other period as has been agreed in writing between the local planning authority and the applicant), the applicant has a right to appeal to the Secretary of State. If the applicant has not exercised this right of appeal and the application remains undetermined after 26 weeks, then the fee paid by the applicant will be refunded to them.</p> <p>The Secretary of State can designate local planning authorities that repeatedly fail to perform their function of determining applications when assessed against published ('Improving Planning Performance' document produced by the Department of Communities and Local Government) criteria i.e:</p> <ul style="list-style-type: none"> <li>- speed of decisions (percentage of applications determined within the statutory period)</li> <li>- quality of decisions made (measured by the proportion of decisions on applications that are subsequently overturned at appeal)</li> </ul> <p>In the last twelve months there has been a drop in performance in processing minor planning applications. This was highlighted on the most recent corporate work plan. Since January 2017, the Council's processing times for minor and major applications have for some quarters been under the threshold levels.</p> <p>The agreed scope of the audit included a review of the following:</p> <ul style="list-style-type: none"> <li>• To check that the correct process is being followed for minor planning applications</li> <li>• To try and help determine causes for the drop in performance regarding speed of determining planning applications</li> <li>• Help find solutions to improve the speed of determining minor planning applications.</li> </ul> <p>From the review of planning application processing times it has been difficult to draw out a specific reason for the poor processing times. Planning application processes are complex and many cases have individual reasons for delays. However, the review has identified some key themes which appear to have contributed to the longer processing times. These are:</p>

- |  |  |
|--|--|
|  | <ul style="list-style-type: none"><li>- Applicants failing to obtain pre-application advice</li><li>- Poor record keeping within the administration of applications, leading to officers wasting time looking for information or duplicating advice or work that may have been done at pre-application, which wasn't recorded.</li></ul> |
|--|--|

Remedial actions were agreed in respect of 7 medium risk and 1 low risk findings.

**SIGNIFICANT GOVERNANCE ISSUES PROGRESS REPORT - FROM ANNUAL GOVERNANCE STATEMENT 2017-18**

Issue No.	Issue identified	Responsible Officer	Summary of action proposed	Update Sept 2018	Update December 2018	Update March 2019	Notes
<b>No significant governance issues were identified for 2017/18, however, measures to improve Governance arrangements have been proposed and implementation of these measures should be monitored.</b>							
1	Separation of Duties - with considerable changes to the structure of the Council as it transforms the way in which services are delivered, separation of duties continues to be an area of concern. There is a risk that inadequate separation of duties could weaken the system of internal control, resulting in an increased risk of irregularities, errors and fraud. (c/fwd 2015-16 AGS)	Managers	This will continue to be monitored as part of the internal audit plan and any issues arising will be reported to the Audit and Governance Committee quarterly.	This is continuing to be monitored as stated.			
2	Reduction in resources – general reductions in staffing numbers increase the impact of staff absences and other service interruptions. Absences may also increase owing to greater pressure of work and loss of motivation. As reported above, Internal Audit are aware of instances where long term sickness is impacting on service delivery. (c/fwd 2015-16 AGS)	Audit Managers	This will continue to be monitored as part of the internal audit plan and any issues arising will be reported to the Audit and Governance Committee quarterly.	This is continuing to be monitored as stated.			
3	Contract Regulations – current contract regulations conflict with the legislative requirements of the Public Contract Regulations 2015, therefore the Council is at risk of breaching legislation. (c/fwd 2015-16 AGS)	Chief Finance Officer - D Hodgson	Draft contract regulations are being presented to the Strategic Management Board in June 2018 with the intention of incorporation into the Constitution at the July 2018 Council meeting.				
4	Procurement – the Council currently does not have a procurement function in place that is fit for purpose. A recent audit of procurement identified a number of shortcuts in the procurement process e.g. extending contracts rather than retendering, a lack of effective contract management. The Interim Procurement Officer left the authority at the end of March and has not been replaced. However, the Council has engaged a consultant to review the current procurement process to help meet the requirements of the Public Contract Regulations 2015 but this review has yet to be finalised. (c/fwd 2015-16 AGS)	Chief Finance Officer - D Hodgson	The Council has an authorised structure and has engaged Hays to manage recruitment into the posts. The Council currently has an Interim Corporate Manager - Procurement and an interim dedicated to HRA contracts.				
5	Implementation of a performance management framework.	CM Executive Support - B Luxton	Executive members and SMB met on the 29 January 2018 to consider a new city vision and priorities for the Council. These will be captured in a new corporate plan and comprehensive performance framework, which will be submitted to members in July 2018.	The Corporate Plan 2018-21 will be submitted to Executive on 9 <sup>th</sup> October 2018. When priorities have been agreed, performance measures to monitor progress will be built into the new corporate dashboard that is being developed with Strata.			

Page 3

6	Medium term financial plan is not clearly linked to the Council's corporate priorities and work program.	Chief Finance Officer - D Hodgson	A timetable is being drawn up to address the issues and savings required for 2019-20 onwards. It will be necessary to demonstrate links to the Council's corporate priorities.				
7	Services are currently struggling to deliver the capital programme predominantly due to either a lack of resources in some service areas or a skills gap in respect of procurement processes and procedures in other areas.	Chief Finance Officer - D Hodgson	This is still a challenging area, the bidding process for the 2018-19 capital programme included a likely timescale, progress against this will be reported in Capital monitoring updates to Committee.				
8	The Council needs to continue its work to implement processes and procedures to ensure proper governance and management of its information assets.	Information Governance Forum	The Information Governance Framework and all related policies are currently being reviewed and collated into one document, which will be completed by mid March 2018. All services submitted entries to a new Information Asset Register in January 2018. This is being reviewed as part of the GDPR action plan, which includes a range of measures to ensure compliance by 25 May 2018.	The Information Governance Framework and supporting policies have now been reviewed and updated by the Information Governance Forum. Corporate Manager - Executive Support will be taking to next SMB for approval. Information Asset register is now in place. Once framework agreed, staff will be asked to sign up to all new policies via Metacompliance software.			

**REPORT TO:** AUDIT AND GOVERNANCE COMMITTEE  
**Date of Meeting:** 19 September 2018

**Report of:** John Street, Corporate Manager, Democratic and Civic Support

**Title:** Governance Review Report

**Is this a Key Decision?**

No

**Is this an Executive or Council Function?**

Council

**1. What is the report about?**

To report the findings of this Review Group to the Audit and Governance Committee.

**2. Recommendations:**

The Audit and Governance Committee recommend to Council that it approves:-

- (a) The amendment of Standing Order 8 (3) (a) to state that questions should be submitted in written form no later than 10 am on the working day before the meeting.
- (b) The addition to Standing Order 10 (6) of the following: "As long as the effect is not to negate the motion".
- (c) The publicising, through social media and other means determined by officers, of the Council agenda prior to commencement of the Council meeting.
- (d) That Committee Chairs will move the minutes of their respective Committees for noting on block rather than minute by minute (with the exception of any minutes containing recommendations).
- (e) That Executive recommendations will be identified and highlighted more clearly at Council meetings and voted on accordingly.
- (f) That the current system of three Scrutiny Committees be retained.

**3. Reasons for the recommendation:**

*For clarity, please see Appendix 1 attached to this report in respect of Recommendations (a) and (b).*

- The proposed amendment of Standing Order 8 (3) (a) is to reflect submission of questions in written format. This will ensure clarity and accuracy and enable copies of the questions to be circulated to all Councillors at the start of Council meetings.
- Direct negative motions can create confusion and hinder the effectiveness of the democratic process.
- To better publicise the Council's Agenda and in particular items of a prominent nature will encourage more public engagement.

- Councillors will continue to have the opportunity to raise questions on minutes which are moved by respective Committee Chairs. However, but the current practice of the Committee Chair simply introducing the relevant minute numbers is meaningless to the public.
- The efficiency of Council meetings will be enhanced by taking all minutes of individual committee meetings together.
- Raising the profile of Executive recommendations at Council is essential. These recommendations often encompass key decisions which could have a significant impact, both of a positive or negative nature, on the City of Exeter and its residents.
- The recommendations contained within this report will generally allow all Councillors to have a better opportunity to openly challenge, commend or comment upon recommendations which will result in a more robust democratic process.
- It is considered that the current three Scrutiny Committee process works well and that there is no good reason to change this.

**4. What are the resource implications including non-financial resources:**

None in respect of this report.

**5. Section 151 Officer Comments:**

There are no financial implications contained within this report.

**6. What are the legal aspects?**

Exeter City Council continues to discharge its duty under the Local Government Act 2000 Section 37(1)(a) and as such this report raises no legal issues.

**7. Monitoring officer Comments**

The Local Government Act 2000 Section 37(1)(a) sets out a statutory requirement for each Local Authority (operating executive or alternative arrangements) to prepare and keep up to date a document setting out their Constitution. This document is required to specifically include Standing Orders and a Code of Conduct, together with such other information as the Local Authority considers appropriate. Exeter City Council's Constitution sets out in detail how the Council operates, how decisions are made, who makes them and the procedures that must be followed to ensure that the process is efficient, transparent and accountable to local people. The recommendations contained within this report demonstrate that Exeter City Council not only satisfy the statutory requirements, but also reflect good practice in keeping the Constitution up to date and fit for purpose.

**8. Report Details:**

8.1 The basis for this Review arose out of the Audit and Governance Committee meeting held on the 14<sup>th</sup> March 2018. The Committee agreed to the formation a Governance Review Group to address the roles and responsibilities of the various Committees, to ensure that they continue to meet the Council's priorities, aims and objectives and that the standing orders and procedural rules contained within the Constitution remain fit for purpose.

For the purposes of this Review, membership consisted of:-

- Cllr Edwards
- Cllr Leadbetter (though did not attend)
- Cllr Musgrave (though did not attend)
- Cllr Sutton
- Cllr Thompson
- Cllr Wardle
- Cllr Wood
- Baan Al-Khafaji, City Solicitor and Head of HR
- John Street, Corporate Manager, Democratic Services and Civic Support
- Sarah Selway, Democratic Services Manager (Committees)
- Anne-Marie Hawley, Scrutiny Programme Officer

8.2 There were three main aspects to this Review:-

- i. To draw a comparison between Exeter and other similar sized Authorities in terms of the democratic services offer;
- ii. Whether the Constitution and Standing Orders remain fit for purpose;
- iii. To identify ways in which the structure and content of the Council's democratic processes might be streamlined and improved.

8.3 Prior to the first meeting of the Group on the 10<sup>th</sup> July, research was carried out so that a comparison could be drawn with other similar sized Local Authorities (Norwich, Cambridge, Sedgemoor and Taunton Deane) in terms of staffing, committees, number of meetings and available budget for Democratic Services.

8.4 It was quickly established that the workload of each Authority's Democratic Services' teams was not uniform and that Exeter services a wide range of meetings and provides extra support outside the Committee Structure and the Authority.

8.5 The work of Exeter City Council's Democratic Services Team has evolved over the last 3 months with the Team now providing a similar service to Teignbridge District Council (recently extended formally on a two year basis). This represents a positive step towards increasing collaborative working with our neighbouring Authorities and provides an opportunity to secure an income stream for Exeter City Council through Democratic Services.

8.6 It is fair to say that Exeter is about midway between the other Authorities in terms of the budget allocated for Democratic Services. There were some small anomalies such as number of Portfolio Holders and difference in number of Committees, but nothing substantial to indicate that Exeter needs to drastically re-consider budget, procedure, practice or process.

8.7 During the Review Group meetings, Members considered some specific aspects such as:-

- The appetite for revision of the work load of the Scrutiny Committees – are they working as effectively as possible in their current form and number?
- Is there merit in introducing the facility for public speaking at all Committees? Currently Exeter facilitates public speaking at Planning Committee and Scrutiny Committees only.

- Should there be a restriction on the amount of time Councillors have to speak or restricted to a right to reply or point of clarification?
- Should amended recommendations be projected onto a screen at respective Committee meetings before the vote is taken so that Councillors are absolutely clear as to what they are voting upon?

8.8 The Group considered the opportunity for Members, together with members of the public to speak on planning matters and it was confirmed that any Member could attend Delegated Briefings and that the Planning Member Working Group also provided Members with an opportunity to put forward their views and discuss significant issues or objections. It was clear that applications could be referred to the Planning Committee for full debate and consideration and that the general public could speak at the Planning Committee either for or against an application. Delegated powers (as authorised by Council) enabled planning officers to deal with simple applications and it was generally accepted by the Review Group that all of these mechanisms enabled the current planning process to work effectively and efficiently without exclusivity, providing sufficient opportunity for the involvement of Members and the general public alike.

8.9 The Group agreed that it would be useful for the Chairs of the Scrutiny Committees to attend Executive meetings to clarify discussion and debate in relation to large issues which would assist the Executive in understanding any Scrutiny Committees' recommendations. This would be particularly helpful in furthering Executive Members' understanding of the background of discussions around certain issues.

8.10 The second meeting of the Group took place on the 2<sup>nd</sup> August 2018 and concentrated upon the Council's Constitution and Standing Orders and whether these remained fit for purpose in their current form. An example of a recent change to Standing Orders was the provision of copies of those questions received from Members in accordance with Standing Orders, which in future will be circulated to all Councillors at the start of Council meetings.

8.11 The Group strongly agreed that a time limit for Councillors to speak at Council should not be imposed as this would interfere with the democratic process. Similarly negative amendments to motions should not be permitted as they can be confusing and contradictory by their very nature. Exeter City Council is distinct in that minutes of other Committee meetings are received by Council for noting (not approval) and this should continue.

8.12 An area which Members of the Group expressly discussed was how the public could gain a better understanding of the issues discussed and voted upon at Council meetings. It was not realistic to expect that those viewing the meeting via social media would have necessarily read the Agenda and so the Group considered that it would be helpful for the recommendations of the Executive to be highlighted thereby improving public understanding. The Communications Team could be asked to publicise, through social media before the Council meeting, the Agenda items to be discussed, specifically highlighting those of a prominent nature in terms of public interest and likely Council debate. This also followed feedback received by the Communications Team which indicated that the public mainly found it difficult to understand what is happening at Council meetings and it was felt that this could easily be addressed with the release of specific information prior to webcasting of the meeting.

8.13 It was established as useful for the minutes of all meetings to be taken on block (assuming that there were no recommendations contained within them) with the

Chair of the relevant committee being invited to move the minutes. This would continue to provide Councillors with the opportunity to raise questions on particular minutes but would enhance the public's understanding of proceedings. The Leader, when presenting the Executive minutes could introduce each minute individually upon which there is a recommendation contained. This would again enhance the public's understanding of proceedings as well as lending clarity to the voting process in respect of each and every recommendation.

8.14 In relation to members of the public or Councillors who submit questions to the Committee/s and then do not attend meetings, it was agreed that the question should still be dealt with in their absence as this supports an open democratic process.

8.15 To conclude this report, the Audit and Governance Committee are invited to agree with the Governance Review Group's findings that the Constitution and Council procedures largely remain fit for purpose subject to the slight alterations recommended within this report and that, in the main, the Democratic process and structure at Exeter City Council works well with a reasonable comparison drawn with other similar sized Authorities.

**9. What is the impact of the decision on equality and diversity; health and wellbeing; safeguarding children, young people and vulnerable adults, Economy safety and the environment?**

A robust democratic structure and process that works efficiently and with transparency and open challenge means that Councillors individually and the Council as a whole can make well informed decisions which, invariably, might have an impact on some or all of these areas.

**John Street, Corporate Manager, Democratic Services and Civic Support**  
**Local Government (Access to Information) Act 1972 (as amended)**  
**Background papers used in compiling this report:**  
None

Contact for enquiries: Anne-Marie Hawley, Scrutiny Programme Officer  
Tel No: (01392) 265110

This page is intentionally left blank

## **Council Standing Orders**

### **STANDING ORDER 1 MEETINGS OF THE COUNCIL**

- (1) The Annual Meeting and other meetings of the Council shall be held at the Guildhall, Exeter, on such dates and times as may be determined by the Corporate Manager Democratic/Civic Support in consultation with the Leader of the Council.
- (2) In addition to ordinary meetings, those listed below may request the proper officer to call Extraordinary Council meetings:-
  - (i) the Council by resolution
  - (ii) the Lord Mayor
  - (iii) any five members of the Council if they have signed a requisition presented to the Leader of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition
  - (iv) the Monitoring Officer.

### **STANDING ORDER 2 ELECTION OF LORD MAYOR, AND DEPUTY LORD MAYOR**

- (1) The Lord Mayor shall be elected at the Annual Meeting of the Council.
- (2) The Deputy Lord Mayor shall then be appointed at the Annual Meeting of the Council.

### **STANDING ORDER 3 CHAIR OF MEETING**

- (1) Any power or duty of the Lord Mayor in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

### **STANDING ORDER 4 QUORUM OF COUNCIL**

- (1) If during any meeting of the Council the Chair, after counting the numbers of members present, declares that there is not a quorum present (i.e. one-third of total membership), the meeting shall stand adjourned. The consideration of any business not transacted shall be adjourned to the next ordinary meeting of the Council.

### **STANDING ORDER 5 ORDER OF BUSINESS AT ORDINARY MEETINGS OF THE COUNCIL**

- (1) Except as otherwise provided by paragraph (2) of this Standing Order, the order of business at every ordinary meeting of the Council shall be:-
  - (a) To choose a person to preside if the Lord Mayor and Deputy are absent.
  - (b) To deal with any business required by statute to be done before any other business.
  - (c) To approve as a correct record and sign the minutes of the last meeting of the Council.
  - (d) To deal with any business expressly required by statute to be done.

- (e) Lord Mayor's Communications and to receive any announcements from the Leader of the Council, or the Head of Paid Service.
  - (f) To dispose of business (if any) remaining from the last meeting.
  - (g) To receive and consider reports, minutes and recommendations of Committees.
  - (h) To consider motions in the order in which notice has been received.
  - (i) Other business, if any, specified in the summons.
- (2) Business falling under items (a), (b) or (c) of paragraph (1) shall not be displaced, but the order of business may be varied:-
- (a) by the Lord Mayor at his/her discretion;
  - (b) by a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

**STANDING ORDER 6  
NOTICES OF MOTION AT COUNCIL**

- (1) Except as provided by Standing Order 7, a motion shall not be proposed at a meeting of the Council unless notice in writing, signed by the member/members of the Council, is given to the Corporate Manager Democratic & Civic Support not later than 10:00 am 5 clear working days before the meeting of the Council.
- (2) The Corporate Manager Democratic & Civic Support shall date and number all such motions received and enter them in a book which shall be open to inspection to every member of the Council.
- (3) The Corporate Manager Democratic & Civic Support shall in the summons for a meeting of the Council, include all such notices of motion duly given to him/her, in the order in which he/she receives them, (unless a member when giving such notice has indicated in writing that he/she proposes to move the motion at some later meeting, or has since withdrawn it in writing).
- (4) If a motion, notice of which has been set out in the summons, is not moved by the Member who has given it, or in his/her absence by some other member on his/her behalf, it shall unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (5) A Notice of Motion shall be debated at the Council meeting at which it is brought forward, unless the Council decides that it shall stand referred to a Committee, by reason of legal, financial or other relevant considerations. That Committee shall consider the Notice of Motion and report back to Council in due course.
- (6) Every motion shall be relevant to some matter in relation to which the Council has powers or duties or which affects the City.

**STANDING ORDER 7  
MOTIONS AND AMENDMENTS  
WHICH MAY BE MOVED WITHOUT NOTICE AT COUNCIL**

The following motions and amendments may be moved without notice:-

- (1) Appointment of a Chair of the meeting at which the motion is made.
- (2) Motions relating to the accuracy of the minutes.
- (3) That an item of business specified in the summons have precedence.
- (4) Reference back to a Committee.
- (5) Appointment of a Committee or members thereof, occasioned by an item mentioned in the summons to the meeting.
- (6) To adopt reports and recommendations of the Executive, Committees or officers and consequent resolutions.
- (7) That leave be given to withdraw a motion.
- (8) Amendments to motions, other than those specified in Standing Order 10(7)
- (9) That the Council proceed to the next business.
- (10) That the question be now put.
- (11) That the debate be now adjourned.
- (12) That the Council do now adjourn.
- (13) To suspend Standing Orders, in accordance with Standing Order 48.
- (14) Motion under Section 100A of the Local Government Act 1972 to exclude the public.
- (15) That a member named under Standing Order 24 be not further heard or do leave the meeting.
- (16) Giving consent of the Council where the consent of the Council is required by these standing orders.

**STANDING ORDER 8  
QUESTIONS AT COUNCIL**

- (1) (a) a member of the Council may ask the Chair of a Committee or the Leader of the Council, any question on an item under consideration by the Council.

Provided always that the Leader may ask an Executive member with relevant portfolio to respond on his/her behalf.

- 
- (b) the Chair of any Scrutiny Committee shall respond to any question relating to an issue considered by that Committee, save where the issue falls to be dealt with through the Executive minutes at a later stage in the meeting of Council. In such circumstances, the Leader (or such other Executive member with relevant portfolio he/she may appoint) will respond in accordance with Standing Order 12(3).

- (2) Every question shall be put and answered without discussion.
- (3) A member of the Council may:-
  - (a) Ask the Chair of the Committee, or the Leader of the Council any question on any matter for which the Council has powers, duties or which affects the City, provided that he/she has **submitted to given** the Corporate Manager Democratic/Civic Support **a written copy notice** of such question(s) by not later than 10:00 am the **working** day preceding the Council meeting.  
  
Provided always that the Leader may ask any Executive member with relevant portfolio to respond to the question.
  - (b) Where a reply cannot conveniently be given orally to the questioner or where insufficient notice has prevented a complete enquiry from being made, a written reply shall be given to all Councillors as soon as practicable after the Council meeting.
  - (c) One supplementary question shall be permitted in respect of each question.
  - (d) **A copy of the question(s) will be made available to Councillors at the beginning of the Council Meeting.**
- (4) An answer may take the form of:-
  - (a) a direct oral answer; or
  - (b) where the desired information is contained in a published document, a reference to that publication.

#### **STANDING ORDER 9 COUNCIL MINUTES**

- (1) The Chair shall put the question that the minutes of the meeting of the Council, held on the.....day of.....be approved as a correct record.
- (2) No discussion shall take place upon the minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Lord Mayor shall sign the minutes.
- (3) The minutes of the preceding Council meeting shall be put to the next ordinary meeting of the Council.
- (4) The minutes of an Extraordinary meeting of the Council shall be approved and signed by the Chair of the next ordinary meeting of the Council in accordance with paragraph 41(1) and (2) of Schedule 12 of the Local Government Act 1972.

#### **STANDING ORDER 10 RULES OF DEBATE FOR COUNCIL MEETINGS**

#### **MOTIONS AND AMENDMENTS**

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded and unless notice has already been given in accordance with Standing Order 6 it shall, if required by the Lord Mayor, be put into writing and handed to the Lord Mayor before it is further discussed or put to the meeting.

## **SECONDER'S SPEECH**

- (2) A member when seconding a motion or amendment may, if he/she then declares his /her intention to do so, reserve his/her speech until a later period of the debate. Only one member shall stand at one time.

## **SPEAKER TO ADDRESS THE LORD MAYOR**

- (3) A member when speaking shall stand and address the Lord Mayor. If two or more members rise, the Lord Mayor shall call on one to speak; the other/others shall then sit. While a member is speaking the other members shall remain seated, unless rising to a point of order or in personal explanation.

## **CONTENT OF SPEECHES**

- (4) A member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

## **WHEN A MEMBER MAY SPEAK AGAIN**

- (5) A member who has spoken on any motion shall not speak again whilst it is the subject of debate, except:-
  - (a) to speak once on an amendment moved by another member;
  - (b) if the motion has been amended since he/she last spoke, to move a further amendment;
  - (c) if his/her first speech was on an amendment moved by another member, to speak on the main issue, whether or not the amendment on which he/she spoke was carried;
  - (d) in exercise of a right of reply given by paragraph (12a) or (12b) of this Standing Order;
  - (e) on a point of order;
  - (f) by way of personal explanation.

## **AMENDMENTS TO MOTIONS**

- (6) An amendment shall be relevant to the motion and shall be:-
  - (a) to refer a subject of debate to a Committee or elsewhere for consideration or reconsideration;
  - (b) to leave out words;
  - (c) to leave out words and insert or add words;
  - (d) to insert or add words;
  - (e) as long as the effect is not to negate the motion.

but such omission, insertion or addition of words shall not have the effect of introducing a new proposal into the motion before the Council.

- (7) Any amendment which would, if adopted, have an effect on the Council's revenue or capital finance shall not be considered at the meeting of the Council at which the level of the Council Tax is set for the ensuing financial year unless prior written notice has been given to the Corporate Manager Democratic & Civic Support, 3 clear working days in advance of such meeting, to enable the Chief Executive & Growth Director and/or the Chief Finance Officer to report to the Council on the financial implications of such amendment.
- (8) Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of.
- (9) If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

#### **ALTERATION TO MOTION**

- (10) A member may, with the consent of the Council, signified without discussion:-
  - (a) alter a motion of which he/she has given notice, or
  - (b) with the further consent of his/her seconder, alter a motion which he/she has moved (except a motion of which he/she has given notice under Standing Order 6)

if (in either case) the alteration is one which could be accepted as an amendment.

#### **WITHDRAWAL OF MOTION**

- (11) A motion or amendment, including a Notice of Motion under Standing Order 6, may be withdrawn by the mover with the consent of his/her seconder and of the Council, which shall be signified without discussion, and no member may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.

#### **RIGHT OF REPLY**

- (12a) Except as set out in (12b) below, the mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the amendment shall have the right of reply at the close of the debate on his/her amendment prior to the mover of the original motion. The mover of the original motion shall have a right of reply at the close of the debate on the amendment, but shall not otherwise speak on the amendment.
- (12b) Where an amendment is moved in respect of a minute of the Executive falling within the remit of a portfolio holder, that portfolio holder may at the request of the Leader exercise the right to reply.

#### **MOTIONS WHICH MAY BE MOVED DURING THE DEBATE**

- (13) When a motion is under debate no other motion shall be moved except the following:-

- (a) to amend the motion;
- (b) to adjourn the meeting;
- (c) to adjourn the debate;
- (d) to proceed to the next business;
- (e) that the question be now put;
- (f) that a member be not further heard;
- (g) by the Lord Mayor under Standing Order 24 that a member do leave the meeting;
- (h) a motion under Section 100A of the Local Government Act 1972 to exclude the public.

### **CLOSURE MOTIONS**

- (14) A member may move without comment at the conclusion of a speech of another member that:-

- (i) “the Council proceed to the next business”,
- (ii) “the question be now put”,
- (iii) “the debate be now adjourned”
- (iv) “the Council do now adjourn”

Following the seconding of which (also without comment), the Chair shall proceed as follows:-

- (a) On a motion to proceed to the next business:  
Unless in his/her opinion the matter before the meeting has been insufficiently discussed, (in which case the proposal shall be refused) it shall be put to the vote. The mover of the original motion shall not have a right of reply under paragraph (12) before putting the motion to the vote;
- (b) On a motion that the question be now put:  
Unless in his/her opinion the matter before the meeting has been insufficiently discussed, (in which case the proposal shall be refused) it shall be put to the vote and if it is passed, the Chair shall give the mover of the original motion his/her right of reply under paragraph (12) of this Standing Order before putting the motion to the vote;
- (c) On a motion to adjourn the debate or the meeting:  
If in his/her opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion he/she shall put the adjournment motion to the vote without giving the mover of the original motion his right of reply and if it is passed, adjourn the debate and/or the meeting forthwith.

### **POINTS OF ORDER**

- (15) A member may rise on a point of order or in personal explanation, and shall be entitled to be heard immediately. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the standing order or statutory provision and the way in which he/she considers it has

been broken. A personal explanation shall be confined to some material part of a former speech by him/her which may appear to have been misunderstood in the present debate.

- (16) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

## **RESPECT OF CHAIR**

- (17) Whenever the Chair rises during a debate a member then standing shall resume his/her seat and the Council shall be silent.

## **STANDING ORDER 11 COMMITTEE MINUTES**

- (1) The minutes of a Committee shall be presented, formally and without comment (except with the permission of the Lord Mayor), by the Committee Chair or such other person acting on his/her behalf and then put to the Council ~~and dealt with item by item. When all the items have been put to the Council, the minutes as a whole (amended or not as the case may be) shall be formally moved and seconded and agreed (including any amendments approved by the Council) without discussion. Once moved a member can ask a question of clarification on any item that the committee has considered.~~
- (2) Notwithstanding anything in this Standing Order, the Committee Chair or such person acting on his/her behalf, shall have the right of reply to any amendment under Standing Order 10(6) and he/she shall reply to questions on any item on the minute when the debate on that item has been concluded.
- (3) The minutes of the preceding committee meeting shall be put to the next ordinary meeting of the committee for signature by the Chair as an accurate record of the proceedings.

## **STANDING ORDER 12 EXECUTIVE MINUTES**

- (1) The minutes of the Executive shall be presented formally ~~and without comment (except with the permission of The Lord Mayor)~~ by the Leader, or such other person acting on his/her behalf, and then put to the Council. ~~and dealt with item by item. When all the items have been put to the Council, the minutes as a whole (amended or otherwise) shall be formally moved, seconded and agreed (including any amendments approved by the Council) without discussion. Recommendations to Council will be proposed and seconded.~~
- (2) Notwithstanding anything in this Standing Order, the Leader (or such other Executive member with relevant portfolio as he/she appoints) shall answer questions put by members and have the right to reply to any amendment under Standing Order 10(12).
- Replies to questions on any item on the minutes on which an amendment has been moved shall be dealt with when the debate on the amendment has been concluded.
- (3) The Leader (or such other Executive member with relevant portfolios he/she may appoint) shall deal with any questions asked of the Chair of a Scrutiny Committee when the relevant minute of the Executive is presented to Council.

- (4) The minutes of the preceding Executive meeting shall be put to the next ordinary meeting of the Executive ~~following Council~~ for signature by the Chair as an accurate record of the proceedings.

**STANDING ORDER 12(A)  
CONFLICT RESOLUTION - DRAFT PLANS AND STRATEGIES**

- (1) (a) This Standing Order only applies where a dispute arises between full Council and the Executive when setting the policy framework for the ensuing year.
- (b) This Standing Order may not be invoked in respect of a function that is the sole responsibility of the Executive.
- (2) Where the Executive has submitted a draft plan or strategy for approval and following consideration of the draft plan or strategy, the Council has objections to it, then before the Council:-
- (a) Amends the draft plan or strategy
- (b) Approves, for the purpose of its submission to the Secretary of State or any Minister of the Crown for his approval any plan or strategy of which any part is required to be so submitted OR
- (c) Adopts the plan or strategy (with or without modification) it must inform the Leader of those objections and instruct him/her to require the Executive to reconsider, in the light of those objections, the draft plan or strategy.
- (3) The Council must specify a period of at least 5 working days (beginning the day after the date on which the Leader receives notice of the objection) during which period the Leader may:-
- (a) Submit a revised plan or strategy, together with the Executive's reasons for any amendments so made.
- (b) Inform the Council of any disagreement the Executive has with the Council's objections giving its reasons for any such objections.
- (4) Once the time limit set out in Standing Order 12(A)(3) above has expired, the Council must when amending, approving or adopting the revised plan or strategy, take account of the Leader's response.

**STANDING ORDER 12(B)  
CONFLICT RESOLUTION – BUDGET ESTIMATES**

- (1) (a) This Standing Order only applies where a dispute arises between full Council and the Executive when setting the budget for the ensuing year.
- (b) This Standing Order may not be invoked in respect of a function that is the sole responsibility of the Executive.
- (2) Where before the 15<sup>th</sup> February in any financial year, the Executive has submitted estimates of amounts for approval and following consideration of the estimate of amount, the Council has objections to it, then before the Council approves the amount, it must inform the Leader of those objections and instruct him/her to require the Executive to reconsider, in the light of those objections, the estimate of amount put forward for approval.
- (3) The Council must specify to the Leader a period of at least 5 working days (beginning the day after the date on which the Leader receives notice of the objection) during which period, the Leader may:-

- (a) Submit a revision of the estimates or amounts, together with the Executive's reasons for any amendments so made OR
  - (b) Inform the Council of any disagreement the Executive has with the Council's objections giving its reasons for any such objections.
- (4) Once the time limit set out in Standing Order 12(B)(3) has expired, the Council must when amending, approving or adopting the estimate or amount, take account of the Leader's response.
- (5) For the avoidance of doubt, the provisions of Standing Order 12(B) shall not apply in relation to amounts stated in a precept.

### **STANDING ORDER 13 DECISIONS OF THE EXECUTIVE**

- (1) (a) A notice setting out all Executive decisions shall be published within two working days of the meeting. A copy of such notice shall be sent to all members electronically.
- (b) Where a key decision has been delegated to an Executive member or an officer, then any such decision shall be recorded and published on the Friday following the decision with notice of Call-In to be required within 5 working days. This shall be sent to all members electronically.
- (c) The notice published in accordance with Standing Order 13(1)(a) must include:-
- a record of the decision.
  - a record of the reasons for the decision.
  - details of the options considered and rejected by the Executive committee.
  - a record of any conflict of interest declared by any member, together with a note of any dispensation granted by the Monitoring Officer. **Standards Committee.**
- (d) The notice published in accordance with Standing Order 13(1)(b) must include:-
- a description of the matter including the officer's report
  - the name of the Executive member exercising the delegated authority where the decision is made under SO 13(1)(b)
  - the decision together with the reasons for it
  - the options considered
  - who was consulted before the decision was made
  - the date when the decision was made
  - any corporate, financial legal, human resources or other management implications
  - background papers
- (2) (a) All decisions published in accordance with this Standing Order shall come into force 5 working days after publication unless called in by a Scrutiny Committee.
- (b) For the avoidance of doubt, a decision shall come into force immediately where the matter in question is urgent as defined in Standing Order 17(6)(c)(ii).
- (3) Minutes of the Executive meeting shall be published and circulated to all members electronically as soon as is reasonably practicable after they are finalised.

### **STANDING ORDER 14 KEY DECISIONS IN EXECUTIVE MEETINGS**

(Amended October 2018)

- (1) A key decision may not be taken by the Executive unless:
  - (a) Notice in the form of a Forward Plan has been published in connection with the matter in question and circulated to all members electronically.
  - (b) At least five clear days have elapsed since the publication of the Forward Plan containing notice of the relevant item.
  - (c) Members of the Executive have been given five clear working days notice of the meeting to which they are summoned, unless the meeting is convened at shorter notice as a matter of urgency.
- (2) The Head of Paid Service, the Chief Finance Officer and the Monitoring Officer or their nominees are entitled to attend any meeting of the Executive where a key decision is being taken. The Executive may not meet unless these officers have been given reasonable notice that a meeting is to take place.
- (3) A key decision is defined in the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 as may be amended/varied from time to time.

**STANDING ORDER 15  
NOTICE OF EXECUTIVE MEETINGS**

- (1) Five clear working days notice of Executive meetings will be given to the Executive members, unless the meeting is convened at shorter notice as a matter of urgency.

**STANDING ORDER 16  
EXECUTIVE DECISIONS OUTSIDE BUDGET/POLICY FRAMEWORK**

- (1) Unless Standing Order 16(2) applies, the Executive, individual members of the Executive and any officers discharging Executive functions may only take decisions which are in line with the Council's budget and policy framework.
- (2) The Executive, individual members of the Executive and officers may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council where such a decision is required a matter of urgency as defined in Standing Order 17(6)(c)(ii).
- (3) Urgent decisions may only be taken in accordance with Standing Order 16(2) above where:-
  - (a) it is not practical to convene a meeting of full Council
  - (b) the Chair of the relevant Scrutiny Committee agrees that the decision is urgent.
- (4) The reasons why it is not practical to convene a meeting of full Council and the Chair of the relevant Scrutiny Committee's consent to the decision being taken as a matter of urgency must be noted on the record of decision. In the absence of the Chair of the relevant Scrutiny Committee the consent of the Lord Mayor or in the absence of both, the consent of the Deputy Lord Mayor is required.
- (5) The Leader shall submit to the Local Authority at quarterly intervals a report setting out all urgent decisions taken in accordance with Standing Order 16(2). This shall include the reasons why the matter was considered urgent.

**STANDING ORDER 17**  
**SCRUTINY OF EXECUTIVE RESOLUTION (CALL-IN)**

- (1) (a) A special meeting of a relevant Scrutiny Committee shall be called to consider a decision made by an Executive Committee or Executive member published in accordance with Standing Order 13(1) provided the reasons for Call-In fall within the criteria set out in paragraph 5 of the Executive Procedure Rules.
- (b) Any such Call-In shall require notice in writing delivered to the Corporate Manager Democratic/Civic Support not later than 10.00 am 5 days after publication of the decision by at least seven Scrutiny members, irrespective of the Scrutiny Committee on which they serve.
- (2) The special meeting must normally take place within 5 working days of receipt of such notice.
- (3) The Chair of that meeting may call the appropriate Executive member/s and/or officer/s of the Council to attend to answer any questions regarding the matter called in for scrutiny.
- (4) A member of the Scrutiny Committee may ask any Executive member with relevant portfolio any question on an item which has been called in under Standing Order 17(3).
- (5) After consideration of a decision, the Scrutiny Committee may:-
  - (a) resolve to take no further action.
  - (b) refer the matter back to the Executive for reconsideration, setting out in writing the reason for its request.
  - (c) refer the matter to Council who may refer the decision back to the Executive for reconsideration setting out in writing the reasons for its request.

Provided always that where the decision is required to be made by the Executive, the Executive may or may not amend its decision.

- (6) (a) Where notice in accordance with Standing Order 17(1) is not delivered to the Corporate Manager Democratic/Civic Support, any decision made by the Executive and/or officer with delegated authority for a key decision shall be final.
- (b) A decision made by the Executive and/or officer with delegated authority for a key decision may only be called in once for re-consideration.
- (c) The Call-In procedure set out in this Standing Order shall not apply:-
  - (i) to any report/item already considered by the appropriate Scrutiny Committee prior to the decision being made by the Executive or officer with delegated authority for a key decision; or
  - (ii) where the decision taken is urgent. A decision is urgent where the interests of the Council or public require immediate action and any delay caused by the call in process would prejudice the interests of the Council or the public.

**STANDING ORDER 18  
SCRUTINY COMMITTEE AGENDA**

- (1) Any member shall be entitled to give written notice to the Corporate Manager Democratic/Civic Support not later than 10.00 am, 8 clear working days in advance of the meeting that he/she requires an item relevant to the functions of the Scrutiny Committee to be included in the agenda of the next meeting.
- (2) Where a Scrutiny Committee conducts a review or scrutinises a matter which also falls, whether in whole or in part, within the remit of another Scrutiny Committee, before submitting its findings to the Executive or Council for consideration, the report of one Scrutiny Committee shall be considered by the other Scrutiny Committee for comment. Those comments shall be incorporated into the report which shall then be sent to the Executive or Council for consideration.

**STANDING ORDER 19  
PUBLIC QUESTIONS AT SCRUTINY COMMITTEES**

- (1) A member of the public may ask any question of the Chair of the Scrutiny Committee or Executive member with relevant portfolio, which in the opinion of the Chair is relevant to the business of the meeting provided that:-
  - (a) the question was submitted in writing, including by electronic means where possible, to the Corporate Manager Democratic/Civic Support not later than 10:00 am 3 working days in advance of the meeting of the Committee;
  - (b) the Corporate Manager Democratic/Civic Support in consultation with the Chair of the Committee may refuse to include the question on the agenda where the question is:-
    - defamatory, frivolous or offensive
    - is the same or substantially the same question which has been put before a scrutiny committee within the last six months
    - requires disclosure of confidential or exempt information.
- (2) A response to the question raised shall be given by the Chair or Executive member with relevant portfolio as requested. The Committee may debate the issue for up to 10 minutes at the end of which the Committee may decide whether to place the matter on the agenda of a future Scrutiny Committee for further report.
- (3) The member of the public asking the question shall have the opportunity to respond for a maximum of 2 minutes. No further debate shall be permitted.

**STANDING ORDER 19A  
PUBLIC SPEAKING AT PLANNING COMMITTEE**

1. A member of the public may address the Planning Committee on any application or tree preservation order being considered by that Committee, provided that:-
  - (a) the person has indicated a wish to speak, by contacting the Corporate Manager Democratic/Civic Support not later than 10:00 am two clear working days in advance of the meeting of the Committee;
  - (b) only one person may speak in support of the application or order and one person against, and unless the persons concerned nominate a spokesperson, priority will be given to the first person to have indicated a wish to speak, or otherwise at the discretion of the Chair;
  - (c) each speaker may speak for a maximum of three minutes;

- (d) a speaker's address should be limited to planning matters, and must not be offensive or defamatory.
- 2. Persons speaking under this Standing Order will be heard after the presentation by an officer, and after any member of the Council speaking under Standing Order 44, but before members of the Committee debate the application or order. A speaker against the application or order will be heard before a speaker in support of it. Members of the Committee may ask questions of a speaker, and the speaker may answer, by way of clarification only.
- 3.

**STANDING ORDER 20  
QUESTIONS TO PORTFOLIO HOLDERS AT SCRUTINY COMMITTEE MEETINGS**

- (1) A member of the Scrutiny Committee or other Council member may, in the time set aside for such business:-
  - (a) Ask an Executive member with relevant portfolio any question on any matter for which the Scrutiny Committee has powers, duties and responsibilities at the place on the agenda allocated for questions to Portfolio Holders.
  - (b) If a full reply cannot be given at the meeting, a written reply shall be given to the questioner as soon as practicable after the Scrutiny Committee meeting, a copy of which shall be circulated to all members electronically.
  - (c) One supplementary question shall be allowed in relation to the subject of the original question.
  - (d) Every question shall be put and answered without debate.
- (2) An answer may take the form set out in Standing Order 8(4)

**STANDING ORDER 21  
PETITIONS**

- (1) Every petition addressed to the Council or the Lord Mayor shall be presented to the Council as a Lord Mayor's communication and thereafter dealt with in accordance with the Council's Petitions Scheme set out in Part 5 of the Constitution.

**STANDING ORDER 22  
MOTIONS AFFECTING PERSONS EMPLOYED  
BY THE COUNCIL**

- (1) No discussion shall take place at any meeting of the Council, its Committees or the Executive to which the provisions of Section 100 of the Local Government Act 1972 applies, as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any person employed by the Council, until the Council, Committee or Sub-Committee has resolved in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 whether or not to exclude the press and public from the meeting.

**STANDING ORDER 23  
EXCLUSION OF THE PUBLIC**

- (1) Members of the public may attend all meetings of the Council, Executive, Committees and Sub-Committees, unless in view of the nature of the business to be transacted or nature of the proceedings, confidential information or exempt information would be disclosed.

- (2) Confidential information means information given to the Council by a government department on terms which forbids its public disclosure or information which cannot be publicly disclosed by court order.
- (3) Exempt information means information defined as such in Schedule 12A to the Local Government Act 1972 which is reproduced below:

### **Part 1**

#### **Descriptions of Exempt Information: England**

- 1 Information relating to any individual.
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes—
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

### **Part 2**

#### **Qualifications: England**

- 8 Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under—
  - (a) the Companies Act 1985;
  - (b) the Friendly Societies Act 1974;
  - (c) the Friendly Societies Act 1992;
  - (d) the Industrial and Provident Societies Acts 1965 to 1978;
  - (e) the Building Societies Act 1986; or
  - (f) the Charities Act 1993.
- 9 Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
- 10 Information which—
  - (a) falls within any of paragraphs 1 to 7 above; and
  - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the

case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **Part 3**

#### **Interpretation: England**

- 11 (1) In Parts 1 and 2 and this Part of this Schedule—
- “employee” means a person employed under a contract of service;
- “financial or business affairs” includes contemplated, as well as past or current, activities;
- “labour relations matter” means—
- (a) any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or
- (b) any dispute about a matter falling within paragraph (a) above; and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;
- “office-holder”, in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority;
- “registered” in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning of that Act).
- (2) Any reference in Parts 1 and 2 and this Part of this Schedule to “the authority” is a reference to the principal council or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference—
- (a) in the case of a principal council, to any committee or sub-committee of the council; and
- (b) in the case of a committee, to—
- (i) any constituent principal council;
- (ii) any other principal council by which appointments are made to the committee or whose functions the committee discharges; and
- (iii) any other committee or sub-committee of a principal council falling within sub-paragraph (i) or (ii) above; and
- (c) in the case of a sub-committee, to—
- (i) the committee, or any of the committees, of which it is a sub-committee; and
- (ii) any principal council which falls within paragraph (b) above in relation to that committee.
- (4) The following additional categories of exempt information apply to Standards Committees:-
- (7A) Information which is subject to any obligation of confidentiality
- (7B) Information which relates in any way to matters concerning national security

- (7C) The deliberations of a Standards Committee or of a sub-committee of a Standards Committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred un the provisions of Section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act

#### **STANDING ORDER 24 DISORDERLY CONDUCT**

- (1) If in the opinion of the Chair, at a meeting of the Council, (which shall include Committee, Sub-Committee and Executive) a member misconducts him/herself by:-
- (a) Persistently disregarding the ruling of the Chair,
  - (b) Behaving irregularly, improperly or offensively,
  - (c) Wilfully obstructing the business of the Council,
- the Chair or any other member may move “That the member named be not further heard”, and the motion if seconded shall be put and determined without discussion.
- (2) If the member named continues his/her misconduct after a motion under Standing Order 24(1) has been carried the Chair shall either:-
- (a) Move “that the member named do leave the meeting” (in which case the motion shall be put and determined without seconding or discussion);
  - (b) Adjourn the meeting for such period as he/she in his/her discretion shall consider appropriate.
- (3) In the event of general disturbance, which in the opinion of the Chair renders the due and orderly dispatch of business impossible, the Chair may without discussion adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

#### **STANDING ORDER 25 DISTURBANCE BY MEMBERS OF THE PUBLIC**

- (1) If a member of the public interrupts the proceedings at any meeting (which shall include Committee, Sub-Committee and Executive meetings), the Chair shall warn him/her. If he/she continues the interruption, the Chair shall order his/her removal from the Council chamber or other meeting room. In case of general disturbance in any part of the chamber open to the public the Chair shall order that part to be cleared.

#### **STANDING ORDER 26 RESCISSION OF PRECEDING COUNCIL RESOLUTION (SIX MONTH RULE)**

- (1) No motion to rescind any Council resolution passed within the last six months, and no motion or amendment to the same effect as one which has been rejected within the last six months, shall be proposed, unless notice in accordance with Standing Order 6 bears the names of at least one-third of the members of the Council. When any such motion or amendment has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months.
- (2) This Standing Order shall not apply to any motion moved on a recommendation of a Committee, or the Executive.

**STANDING ORDER 27  
VOTING AT COUNCIL**

- (1) The mode of voting at meetings of the Council shall be by show of hands: providing that on the requisition of any member of the Council made before the vote is taken and supported by five other members, the voting on any question shall be by roll call and shall be recorded so as to show how each member present and voting gave his/her vote. The name of any member present and not voting shall also be recorded. In the event of an equality of votes the Lord Mayor shall have a second or casting vote.
- (2) If any member of the Council so requires immediately after a vote is taken by a show of hands, there shall be recorded in the minutes of the proceedings of that meeting how that member gave his/her vote or whether that member abstained from voting.

**STANDING ORDER 28  
VOTING ON APPOINTMENTS**

- (1) Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

**STANDING ORDER 29  
RECORD OF ATTENDANCE**

- (1) Every member of the Council attending a meeting of the Council, any of its Committees, Sub-Committees or Executive, of which he/she is a member, shall sign his/her name on the attendance list provided for that purpose.

**STANDING ORDER 30  
VOTING ON BUDGET SETTINGS**

- (1) Immediately after a vote is taken at a budget meeting this includes setting of the Council Tax and Precepts ~~The Council immediately after any vote is taken at a budget meeting, this includes a meeting where making the calculation or issuing the precept as the case may be included as an item of business on the agenda for that meeting~~, there must ~~will~~ be recorded ~~in the minutes the names of the members present so as~~ to show how each member ~~present and~~ voting gave his/her vote. The name of any members who abstained ~~present and not voting~~ shall also be recorded.

**STANDING ORDER 31  
CUSTODY OF SEAL**

- (1) The Common Seal of the Council shall be kept in a safe place in the custody of the City Solicitor & Head of HR and shall be secured by a lock, the key to which shall be kept by the City Solicitor & Head of HR.

**STANDING ORDER 32  
SEALING OF DOCUMENTS**

- (1) A decision of the Council, or any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal shall be affixed to those documents which in the opinion of the City Solicitor & Head of HR Services should be sealed.

- (2) The Seal shall be attested by one of the following persons:
  - (a) The Chief Executive & Growth Director,
  - (b) The City Solicitor & Head of HR or in his/her absence the Chief Legal Executive
  - (c) Litigation Solicitor
  - (d) Corporate Manager Democratic & Civic Support
- (3) An entry of every sealing of a document shall be made and consecutively numbered in a book kept for that purpose and shall be signed by the person who has attested the Seal.

**STANDING ORDER 33  
AUTHENTICATION OF DOCUMENTS FOR  
LEGAL PROCEEDINGS**

- (1) Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it shall be signed by the City Solicitor & Head of HR or other person authorised by him/her unless any enactment otherwise requires or authorises, or the Council has given the necessary authority to some other person.

**STANDING ORDER 34  
INSPECTION OF DOCUMENTS**

- (1) A member of the Council, for purposes of his/her duty as such (but not for any other purpose) may on application to the Corporate Manager Democratic & Civic Support, inspect any document which has been considered by the Council, Committee, Sub-Committee or the Executive, and may on request be supplied with copies of any such document.
- (2) A member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he/she is professionally interested or in which he/she has directly or indirectly any pecuniary interest within the meaning of Section 95 of the Local Government Act, 1972. This Standing Order shall not preclude the Corporate Manager Democratic & Civic Support from declining to allow inspection of any document which is (or in the event of legal proceedings would be) protected by privilege arising from the relationship of solicitor and client.
- (3) All reports made or minutes kept by any Committee, Sub-Committee or Executive shall be open for inspection by any member of the Council.

**STANDING ORDER 35  
INSPECTION OF LANDS, PREMISES ETC.**

- (1) Unless specifically authorised to do so by the Council, Committee, Sub-Committee or the Executive, a member of the Council shall not issue any order in respect of any works which are being carried out by or on behalf of the Council or claim, by virtue of his/her membership of the Council, any right to inspect or to enter any lands or premises which the Council have the power or duty to inspect or enter other than with the Council's appointed officer.

**STANDING ORDER 36  
APPOINTMENT OF COMMITTEES**

- (1) The Council shall at the Annual Meeting appoint such Committees as it is required to appoint by or under any statute or as is necessary for the conduct of the Council's business, and may at any time appoint such other Committees as are necessary to carry out the work of the Council but, subject to any statutory provision:-

(Amended October 2018)

- (a) shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting of the Council;
  - (b) may at any time dissolve a Committee or alter its membership.
- (2) Except where otherwise provided by statute or a scheme made under statutory authority, the Lord Mayor shall be a member (with the exception of the Executive) without voting powers of every standing committee appointed by the Council.
- (3) Unless otherwise altered by the Council, the following shall be the Council's standing Committees:-
- (a) Executive
  - (b) Planning Committee
  - (c) Licensing
  - (d) Audit and Governance Committee (On which Executive members may not serve)
  - (e) Scrutiny (on which Executive members may not serve)

**STANDING ORDER 37  
APPOINTMENT OF EXECUTIVE**

- (1) The Council shall, at its Annual Meeting, appoint an Executive nominated by the Leader of the Council.
- (2) The Executive shall consist of the Leader together with up to nine other members.
- (3) The Council shall, at the Annual Meeting, on the nomination of the Leader, appoint such Executive Portfolios and portfolio holders as the Leader shall consider appropriate.

**STANDING ORDER 38  
PROCEEDINGS OF COMMITTEES & EXECUTIVE TO BE CONFIDENTIAL**

- (1) All agenda, reports and other documents and all proceedings of Committees, Sub-Committees and the Executive shall be treated as confidential unless and until they become public in the ordinary course of the Council's business.

**STANDING ORDER 39  
ELECTION/REMOVAL OF LEADER AND CHAIR AND DEPUTY CHAIR OF  
COMMITTEES**

- (1) The Council shall at its Annual Meeting elect the Leader of the Council whose term of office shall start on the day of his/her election to that office and end on the day when the Council holds its first Annual Meeting after the Leader's normal day of retirement as a Councillor unless:
  - (a) he/she resigns from office; or
  - (b) he/she is suspended from being a councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or

- (c) he/she is no longer a councillor; or
- (d) he/she is removed from office by resolution of the Council by way of majority vote.

For the avoidance of any doubt any motion to remove the Leader from office must first comply with the provisions of Standing Order 6.

- (2) The Chairs and Deputy Chairs of each Committee shall be elected by Council at the Annual Meeting. In the absence from a meeting of the Chair and Deputy Chair, a Chair for that meeting will be appointed. No member of the Council shall be eligible to be appointed Chair or more than one Standing Committee.

#### **STANDING ORDER 40 SPECIAL MEETINGS OF COMMITTEES**

- (1) The Chair of a Committee, Sub-Committee or the Executive may call a special meeting of the Committee at any time. A special meeting shall also be called on the requisition of three members of the Committee, Sub-Committee or Executive (with the exception of Scrutiny call in, where the provisions of Standing Order 17 shall apply) provided this is delivered to the Corporate Manager Democratic/Civic Support. The summons to the special meeting shall set out the business to be considered. No business other than that set out in the summons shall be considered at that meeting.

#### **STANDING ORDER 41 SUB-COMMITTEES**

- (1) Every Committee, appointed by the Council may appoint Sub-Committees for the purposes specified by the Committee subject to the approval of Council.
- (2) The Chair and the Deputy Chair, if any, of the Committee shall be an ex-officio member (but without voting powers) of every Sub-Committee appointed by that Committee, unless they are appointed as a full member of the Sub-Committee or signify to the Committee that they do not wish to serve.

#### **STANDING ORDER 42 QUORUM OF COMMITTEES, SUB-COMMITTEES & EXECUTIVE**

- (1) Except where authorised by a statute or ordered by the Council, business shall not be transacted at a meeting of any Committee or the Executive unless at least one quarter of the whole number of the Committee is present.

Provided that in no case shall the quorum be less than three members.

- (2) Unless specifically agreed by the Committee which has appointed it, business shall not be transacted at a Sub-Committee unless at least one quarter of the whole number of the Sub-Committee is present.

Provided that in no case shall the quorum of a Sub-Committee be less than two members.

#### **STANDING ORDER 43 VOTING IN COMMITTEES, SUB-COMMITTEES & EXECUTIVE**

- (1) Voting at a meeting of a Committee, Sub-Committee and Executive shall be by show of hands. In the event of an equality of votes the Chair shall have a second or casting vote.

- (2) If any members of the Committee, Sub-Committee or Executive so requires immediately after a vote is taken, there shall be recorded in the minutes of the proceedings of that meeting how that member gave his vote or whether that member abstained from voting.

**STANDING ORDER 44  
ATTENDANCE AT COMMITTEES,  
SUB-COMMITTEES & EXECUTIVE**

- (1) A member of the Council shall have the right to attend the meeting of any Committee, Sub-Committee or Executive of which he/she is not a member and may remain during consideration of both the public and private parts of the agenda. He/she may not vote at that meeting and may only speak if he/she has given notice in writing (by electronic mail wherever possible) by 10.00 am on the day of the meeting to the Corporate Manager Democratic/Civic Support and has specified in the notice the particular agenda item or items on which he/she wishes to speak.

**STANDING ORDER 45  
MOVER OF MOTION MAY ATTEND  
COMMITTEE, SUB-COMMITTEE & EXECUTIVE**

- (1) A member of the Council who has moved a motion which has been referred to any Committee, Sub-Committee or Executive shall have notice of the meeting of the Committee, Sub-Committee or Executive at which it is proposed to consider the motion. He/she shall have the right to attend the meeting and if he/she attends shall have an opportunity of explaining the motion.

**STANDING ORDER 46  
MEMBERS' ABSENCE FROM MEETINGS**

- (1) If any member fails throughout a period of six consecutive months to attend any meeting of ~~the Authority he/she, unless the failure was due to some good reason approved by Council before the expiry of that period, full Council, a Committee or Sub-Committee of which he/she is a member, the circumstances shall be reported to the Executive and he/she~~ shall cease to be a member of the Council. ~~Attendance can be at any committee or sub-committee or any joint committee, joint board or body where the functions of the Authority are discharged. unless the failure to attend is due to some reason approved by the Executive.~~ Attendance can be at any committee or sub-committee or any joint committee, joint board or body where the functions of the Authority are discharged.

**STANDING ORDER 47  
VARIATION AND REVOCATION  
OF STANDING ORDERS BY COUNCIL**

- (1) Except on the recommendation of the Executive, a motion to add, vary or revoke these standing orders shall (when proposed and seconded) stand adjourned without discussion to the next ordinary meeting of the Council and that motion shall not be carried except by a majority of two-thirds of the members of the Council present and voting.

**STANDING ORDER 48  
SUSPENSION OF STANDING ORDERS BY COUNCIL**

- (1) Subject to paragraphs (2) and (3) of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting of Council, where its suspension is moved.

- (2) No suspension of standing orders shall be permitted so as to negate the requirements for notice to be given under Standing Orders 10(7) (Council tax), 39(1) (Removal of the Leader) and 47 (Variation/revocation of Standing Orders).
- (3) A motion to suspend Standing Orders shall not be moved without notice (i.e. under Standing Order 7) unless there shall be present at least one-half of the whole number of the members of the Council.

**STANDING ORDER 49  
INTERPRETATION OF STANDING ORDERS**

- (1) The ruling of the Lord Mayor, Chair of Committee, Sub-Committee or Executive as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council, Committee, Sub-Committee or Executive.

**STANDING ORDER 50  
STANDING ORDERS TO BE GIVEN TO MEMBERS**

- (1) An electronic copy of the Council's constitution, which shall include a copy of these Standing Orders and of such statutory provisions as regulate the proceedings and business of the Council, shall be made available in electronic format to each member by the Corporate Manager Democratic & Civic Support on the making of their declaration of acceptance of office on being first elected to the Council. A hard copy will be provided by the Corporate Manager, Democratic and Civic Support on receipt of a written request by a member.

**STANDING ORDER 50(A)  
APPOINTMENT OF HEAD OF PAID SERVICE**

- (1) Council shall approve the appointment of the Head of Paid Service following the recommendation of such appointment by a Committee or Sub-Committee of the Council.
- (2) The Committee or Sub-Committee referred to in Standing Order 50(A)(1) above shall include at least one member of the Executive.
- (3) In the case of the appointment of the Head of Paid Service, the provisions of Standing Order 52(2) shall apply. In the case of dismissal, the provisions of Standing Order 54 shall apply.

**STANDING ORDER 51  
APPOINTMENT OF CHIEF OFFICERS**

- (1) Where the authority proposes to appoint a chief officer, and it is not proposed that the appointments be made exclusively from among their existing officers, they shall:-
  - (a) draw up a statement specifying -
    - (i) the duties of the officer concerned, and
    - (ii) any qualifications or qualities to be sought in the person to be appointed;
  - (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
  - (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

- (2) (a) Where a post has been advertised as provided in standing order 51(1)(b), the authority shall -
  - (i) interview all qualified applicants for the post; or
  - (ii) select a short list of such qualified applicants and interview those included on the short list.
- (b) Where no qualified person has applied, the authority shall make further arrangements for advertisement in accordance with standing order 51(1)(b). The steps to be taken under paragraphs 1 and 2 above of this standing order shall be discharged by the Chief Executive & Growth Director or such other officer as may be appointed for the purpose by Council.

**STANDING ORDER 52  
APPOINTMENT/DISMISSAL OF CHIEF OFFICERS AND SOME  
SECOND TIER OFFICERS**

- (1) (a) The Head of Paid Service shall appoint/dismiss Chief Officers on JNC conditions of service.
- (b) Appointment of Chief Officers and Directors/Corporate Managers shall follow a selection process involving the relevant portfolio holder and any other member(s) considered appropriate.
- (2) Before making an offer of employment or the dismissal, the Head of Paid Service or Strategic Director (as appropriate) shall provide all the members of the Executive, with the following: -
  - (a) The name of the person to be appointed/dismissed
  - (b) Any other information relevant to the appointment/dismissal.
  - (c) A reasonable period within which any objection to the making of the offer of appointment/dismissal is to be made by the Leader on behalf of the Executive.
- (3) An offer of employment or the dismissal of a chief or second tier officer employed under Joint National Council Conditions of Service shall only be made once the appointor/dismissor has considered any objections made and is satisfied that any such objections are not material or well founded. In the case of the Head of Paid Service, Monitoring Officer or Chief Finance Officer the procedure set out in Standing Order 54 shall apply.
- (4) Whilst any action to suspend the Head of Paid Service, or any Chief Officer, for the purpose of investigation is being undertaken, they shall be on full pay for as long as it takes from the date that suspension takes place.
- (5) Members will not be involved in any disciplinary action against any officer below chief officer except where such involvement is necessary for an investigation or inquiry into alleged misconduct through the Council's disciplinary procedures.

**STANDING ORDER 53  
OTHER APPOINTMENTS**

- (1) The Head of Paid Service, Deputy Chief Executive, Directors, Chief Finance Officer, City Solicitor & Head of HR and Corporate Managers (or such other officer to whom this function has been delegated) shall be responsible for appointment of staff within their area of responsibility other than those who are on Joint National Council Conditions of Service.

**STANDING ORDER 54  
DIMISSAL OF STATUTORY OFFICERS**

- (1) A decision to dismiss the Head Paid of Service, Monitoring Officer and Section 151 Finance Officer may only be taken by Full Council in accordance with the procedure set out in the Local Authorities (Standing Orders) (England) Regulations 2015/881, as may be amended from time to time.

**STANDING ORDER 55  
ADMINISTRATION**

- (1) The Chief Executive & Growth Director shall be the Head of Paid Service responsible for the review of the organisation and administration of the Council.
- (2) The City Solicitor & Head of HR shall be the Council's Monitoring Officer in accordance with section 4 of the Local Government and Housing Act 1989. In his/her absence, the **Chief Legal Executive and/or Litigation Solicitor shall deputise in accordance with the scheme of delegation.**
- (3) The Chief Finance Officer shall be the Chief Finance Officer responsible for securing the proper administration of the Council's financial affairs and arrangements for the purposes of Section 151 of the Local Government Act 1972 as supplemented by Section 114 of the Local Government and Finance Act 1988.
- (4) Every Committee, Sub-Committee, Executive and officers of the Council shall conform with the financial arrangements so made.

**STANDING ORDER 56  
REGISTER OF INTERESTS**

Within 28 days of a member's election or re-election or a co-opted members' appointment or re-appointment, he/she shall register all disclosable pecuniary interests as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 in the register maintained for that purpose by the Monitoring Officer. **Similarly amendment/additions/deletions to a Member's Register of Interest, need to be made within 28 days of the change happening.**

**STANDING ORDER 57  
PECUNIARY INTERESTS**

Where a matter arises at a meeting which relates to a Disclosable Pecuniary Interest, the member shall not participate in a discussion or vote on the matter. The member shall withdraw from the room at the commencement of the consideration of that business. He/she only has to declare what his/her interest is if it is not already entered in the Member's Register of Interests or if he/she has not notified the Monitoring Officer of it.

Where a matter arises at a meeting which relates to a Disclosable Pecuniary Interest, which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. The member shall withdraw from the room at the commencement of the consideration of that business. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.

**STANDING ORDER 58  
OTHER INTERESTS**

Where a matter arises at a meeting which relates to “other interests” as defined in the Members’ Code of Conduct, the member shall disclose the nature of the interest and withdraw from the meeting. He/she may speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting. If it is a sensitive interest the member shall declare the interest but not the nature of the interest.

**STANDING ORDER 59  
CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- (1) Canvassing members of the Council, Committees, Sub-Committees or the Executive, directly or indirectly, for any paid work shall disqualify that candidate concerned for the appointment.

The content of this Standing Order shall be included in any form of application.

- (2) A member of the Council, Committee, Sub-Committee or Executive shall not solicit, for any person, any employment by the Council. This shall not preclude a member from giving a written testimonial of a candidate’s ability, experience, or character for submission to the Council with an application for appointment.

**STANDING ORDER 60  
RELATIVES OF MEMBERS OR OFFICERS**

- (1) A candidate for paid work for the Council, who knows that he is related to any member or senior officer of the Council shall, when making an application, disclose that relationship to the Chief Officer.

A candidate who fails to disclose such a relationship shall be disqualified for the appointment and if appointed shall be liable to dismissal without notice. Every member and senior officer of the Council shall disclose to the Monitoring Officer or relevant Director/Chief Finance Officer/Corporate Manager any relationship known to him/her to exist between himself/herself and any person whom he/she knows is a candidate for employment by the Council. The Monitoring Officer or relevant Director/Chief Finance Officer/Corporate Manager shall report to the Council, appropriate Committee, Sub-Committee or Executive any such disclosure made to him/her.

- (2) The content of this standing order shall be included in any application for employment. For the purpose of this Standing Order “senior officer” means any officer so designated by the Council and persons shall be deemed to be related if they are husband or wife or if either of them or the spouse of either of them is the son, daughter, grandson or granddaughter, brother, sister, nephew or niece of the other, or of the spouse of the other.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank