



YATE TOWN COUNCIL STANDING ORDERS

These Standing Orders/Code of Conduct
were adopted by the Town Council at the Full
Council meeting on 25th February 2020

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Code of Conduct for Councillors

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Staffing and Governance Sub-Committee meeting, 31 January 2016:

Delegated powers are granted to the Clerk to review and make minor changes to the Standing Orders, with substantial changes being brought back to Council at the time of annual review.

Amendments made by the Clerk according to delegated powers.

Date	Standing Order	Amendments
15.7.19	17.4 v	Inclusion of “Deputy RFO” to tender opening in absence of Clerk or RFO
21.4.20	1a	Addition of new standing order for remote meetings

Amendments made by Council by resolution.

Date	Standing Order	Amendments
7.1.20	Code of Conduct	Amendments to definition of bullying and total value of gifts. S&G 18.11.19

**YATE TOWN COUNCIL
STANDING ORDERS**

1. Meetings

- 1.1. Subject to statutory requirements, meetings shall be held on an eight-weekly cycle on such days as the Council from time to time determine and shall take place at Poole Court, Yate unless the Council otherwise decides at a previous meeting. **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
 - 1.2. **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
 - 1.3. **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
 - 1.4. **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
 - 1.5. **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
 - 1.6. **If no other time is fixed, the annual meeting of the Council shall take place at 7.30pm.** *(NB: The statutory time is 6pm. The annual meeting of Yate Town Council usually takes place at 7.30pm in an election year and at 8.30pm in a non-election year, immediately following a Full Council meeting).*
- The Council will normally meet on a Tuesday evening.
- 1.7 **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
 - 1.8 **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.**
 - 1.9 **The Chair of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
 - 1.10 **The Vice Chair of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**

1.11 In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.

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

1.13 Following the election of the Chair of the Council and Vice Chair (if there is one), of the Council at the annual meeting of the Council, the business of the annual meeting shall include:

- i. **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
- ii. Review of delegation arrangements to committees, sub-committees, employees and other local authorities;
- iii. Review of the terms of references for committees, sub-committees, project steering group and working groups;
- iv. Appointment of councillors to existing committees;
- v. Appointment of any new committees, confirmation of the terms of reference, the number of councillors (including, if appropriate, substitute councillors);
- vi. Review and adoption of appropriate Standing Orders and Financial Regulations;
- vii. Review of arrangements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- viii. Review of representation on or work with external bodies and arrangements for reporting back;
- ix. In an election year, to confirm that the Council is eligible or to make arrangements with a view to the Council becoming eligible to exercise the General Power of Competence;
- x. Review of inventory of land, assets and liabilities;
- xi. Confirmation of arrangements for insurance cover in respect of all insured risks;
- xii. Review of the Council's Complaints Procedure;
- xiii. Review of the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;

- xiv. Review of the Council's policy for dealing with the press/media;
 - xv. Setting the dates, times and place of meetings of the Full Council and committees for the year ahead.
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- 1.14 **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one), if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
 - 1.15 **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may, in their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
 - 1.16 The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting. The Chair (Town Mayor) when attending any meeting of the Council or presiding at any other meeting convened by the Council may wear the chain of office.
 - 1.17 A person shall raise their hand to indicate that they would like to speak.
 - 1.18 Any person speaking at a meeting shall address their comments to the Chair.
 - 1.19 Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall direct the order of speaking.
 - 1.20 Councillors may ask the Chair, Committee Chair or the Clerk any question concerning the business of the Council, providing 5 working days' notice of the question has been given to the Clerk, in writing, before the meeting begins.
 - 1.21 With the permission of the Chair, an urgent question may be asked providing it has been notified to the Clerk by 5pm on the evening prior to the meeting at which it is asked.
 - 1.22 At the meeting itself, the member who has asked the original question may ask one supplementary question which is relevant to the original question.
 - 1.23 A person to whom a question has been put may decline to answer but give reasons why.
 - 1.24 **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
 - 1.25 **The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (See *Standing Orders 1.11 and 1.12 for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council*).**

- 1.26 **Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- 1.27 The minutes of a meeting shall include an accurate record of the following:
- the time and place of the meeting;
 - the names of councillors present and absent;
 - interests that have been declared by councillors and non-councillors with voting rights;
 - the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - whether a councillor or non-councillor with voting rights left the meeting when matters on which they had declared an interest, were being considered;
 - if there was a public participation session and what it was about;
 - the resolutions made.
- 1.28 An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a councillor, at a meeting shall be recorded in the minutes.
- 1.29 **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- 1.30 **No business may be transacted at a meeting unless at least one-third of the whole number of councillors of the Council are present and in no case shall the quorum of a meeting be less than three.** *See Standing Order 2.8 for the quorum of a committee or sub-committee meeting.*
- 1.31 **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- 1.32 **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- 1.33 Members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.

- 1.34 The period of time which is designated for public participation above shall not exceed 30 minutes.
- 1.35 Subject to ***Standing Order 1.34***, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 5 minutes. Where there is more than one person wishing to speak the Chair shall manage participation.
- 1.36 The Council shall endeavour to answer questions or points made at the meeting, but if unable to do so, a response will be given in writing as soon as practical.

1.a) Virtual Meetings

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on 4th April 2020 and remain in force until 7th May 2021. The Regulation enables local councils to hold remote meetings (including video and telephone conferencing and removes the requirement to hold an annual Town Council meeting.

From 4th April 2020 until 7th May 2021 or sooner the following will apply;

- Any necessary Town Council meetings will be held remotely via online video conferencing with telephone dial in facility;
- Notice of meetings will be placed on the Town Council website with 3 clear day's notice and include detail of how the public can access the meeting;
- Any person wishing to speak shall raise their hand in person or indicate in an appropriate way. Anyone using telephone facility shall address the Chair indicating their wish to speak;
- Voting is by the raising of a hand; telephone users will be asked to state their vote by the Chair;
- Confidential matters will be dealt with at the end of the meeting, where applicable, and members of the public will be excluded from that part of the meeting;
- Items where a Member has declared a declaration of interest, and a dispensation has not been sought, will also be considered at the end of the meeting and the Member will be excluded from the meeting.
- The recording of the meeting using Zoom software is prohibited unless by the clerk of the meeting. In accordance with the Openness of Local Government Bodies Regulations 2014, recording of the meeting is permitted using film, photography or making audio recordings.

2. Committees and Sub-Committees

- 2.1. Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and councillors shall be determined by the committee.**

- 2.2. **The councillors of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- 2.3. **Unless the Council determines otherwise, all the councillors of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- 2.4. The Council may appoint standing committees or other committees as may be necessary, and:
- i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of Full Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to *Standing Orders 2.2 and 2.3*, appoint and determine the terms of office of councillors of such a committee;
 - v. may, subject to *Standing Orders 2.2 and 2.3*, appoint and determine the terms of office of the substitute councillors to a committee whose role is to replace the ordinary councillors at a meeting of a committee if the ordinary councillors of the committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the councillors of a standing committee, appoint the chair of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a committee;
 - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xii. may dissolve a committee, sub-committee, project steering group or working group.
- 2.5. The Chair and Vice-Chair shall be ex-officio councillors of every committee and sub-committee. Ex-officio councillors are entitled to attend meetings but have no voting rights, do not count towards the quorum and do not have to submit apologies for non-attendance, unless the Chair and Vice-Chair are named as councillors of committees in their own right.
- 2.6. Every committee shall at its first meeting before proceeding to any other business, elect a Vice-Chair who shall hold office until the next annual meeting

of the Council. Every sub-committee shall at its first meeting before proceeding to any other business, elect a Chair and Vice-Chair who shall hold office until the next annual meeting of the Council.

- 2.7. The Chair of a committee or the Chair of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of no less than a quarter of the councillors of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- 2.8. Except where a higher number is ordered by Council, the quorum of a committee or sub-committee shall be one third of its councillors who are elected councillors (rounded up in the case of odd numbers) or four, whichever is the lower figure, save that no quorum shall be less than three elected councillors.
- 2.9. Relevant Standing Orders in connection shall apply to committee and sub-committee meetings.
- 2.10. A councillor who has proposed a motion which has been referred to any committee of which he is not a member, may explain his motion to the committee but shall not vote.

3. Project Steering Groups and Working Groups

- 3.1. Project steering groups and working groups may be appointed as necessary.
- 3.2. Every project steering group shall at its first meeting before proceeding to any other business, elect a Chair and Vice-Chair who shall hold office until the completion of the project (*subject to review if a councillor is not re-elected*).
- 3.3. Every working group shall at its first meeting before proceeding to any other business, elect a Chair and Vice-Chair who shall hold office until the next annual meeting of the Council.
- 3.4. The terms of reference for project steering groups and working groups are set out in the Town Council Terms of Reference.
- 3.5. Working groups may make recommendations and give notice thereof to the Council.

4. Extraordinary Meetings

- 4.1. **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- 4.2. **If the Chair of the Council does not call an extraordinary meeting of the Council within 7 days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- 4.3. The Chair of a committee or sub-committee may convene an extraordinary meeting of the committee or sub-committee at any time.
- 4.4. If the Chair of a committee does not call an extraordinary meeting within 7 days of having been requested by to do so in writing by 3 councillors of the committee or sub-committee, any 3 councillors of the committee or sub-committee may convene an extraordinary meeting of a committee or sub-committee.

5. Previous Resolutions

- 5.1. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with *Standing Order 7*, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee, or from a new matter arising from a written report of an officer.
- 5.2. When a motion moved pursuant to *Standing Order 5.1* has been disposed of, no similar motion may be moved within a further six months.

6. Voting on Appointments

- 6.1. Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting.
- 6.2. If more than two posts are to be appointed, the Single Transferable Voting system is to be used.

7. Motions for a Meeting that Require Written Notice to be Given to the Proper Officer

- 7.1. A motion shall relate to the responsibilities of the meeting for which it is tabled for and in any event shall relate to the performance of the Council's statutory

functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

- 7.2. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 12 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- 7.3. The Proper Officer may, before including a motion on the agenda received in accordance with *Standing Order 7.2*, correct obvious grammatical or typographical errors in the wording of the motion.
- 7.4. If the Proper Officer considers the wording of a motion received in accordance with *Standing Order 7.2* is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer, so that it can be understood at least 10 clear days before the meeting.
- 7.5. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- 7.6. Subject to *Standing Order 7.5*, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- 7.7. Motions received shall be recorded for that purpose and numbered in the order that they are received.
- 7.8. Motions rejected shall be recorded for that purpose with an explanation by the Proper Officer for their rejection.

8. Motions at a Meeting that do not Require Written Notice

- 8.1. The following motions may be moved at a meeting without written notice to the Proper Officer;
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it;
 - iii. to move to a vote;
 - iv. to defer consideration of a motion;
 - v. to refer a motion to a particular committee or sub-committee;
 - vi. to appoint a person to preside at a meeting;
 - vii. to change the order of business on the agenda;
 - viii. to proceed to the next business on the agenda;
 - ix. to require a written report;

- x. to appoint a committee or sub-committee and their councillors;
- xi. to extend the time limits for speaking;
- xii. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- xiii. to not hear further from a councillor or a member of the public;
- xiv. to exclude a councillor or member of the public for disorderly conduct;
- xv. to temporarily suspend the meeting;
- xvi. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements;
- xvii. to adjourn the meeting; or
- xviii. to close a meeting.

9. Rules of Debate at Meetings

- 9.1. Motions on the agenda shall be considered in the order that they appear, unless the order is changed at the discretion of the chair of the meeting.
- 9.2. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution.
- 9.3. A motion (including an amendment) shall not be discussed unless it has been proposed and seconded, and unless proper notice has already been given it shall, if required by the Chair, be reduced to writing and handed to him or her before it is further discussed or put to the meeting. There will be only one amendment on the table at one time.
- 9.4. A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- 9.5. One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- 9.6. A councillor when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- 9.7. A councillor shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- 9.8. No speech shall exceed five minutes, except by consent of the Council.
- 9.9. An amendment shall be either –
 - i. To leave out words;
 - ii. To leave out words and insert or add others;
 - iii. To insert or add words.

- 9.10. An amendment shall not have the effect of negating the resolution before the Council.
- 9.11. If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- 9.12 If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- 9.13 A mover of a motion shall have the right of reply to the debate immediately before the vote on the substantive motion. The mover of an amendment shall have the right of reply to the debate on that amendment immediately prior to the vote on the amendment.
- 9.14 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- 9.15 The mover of a resolution or of an amendment shall have a right of reply limited to three minutes.
- 9.16 A councillor, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure, or in exercising a right of reply.
- 9.17 During the debate of a motion, a councillor may interrupt only on a point of order or personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the Standing Order which he considers has been breached or specify the other irregularities in the proceedings of the meeting he is concerned by.
- 9.18 A councillor may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him or her which may have been misunderstood. A councillor indicating a wish to speak for these purposes shall be heard forthwith.
- 9.19 A councillor may move an amendment to his own motion if agreed by the meeting. If the motion has already been seconded, then amendment shall be with the agreement of the seconder and the meeting.
- 9.20 If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- 9.21 Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply.

9.22 Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:

- i. to speak on an amendment moved by another councillor;
- ii. to move or speak on another amendment if the motion has been amended since he last spoke;
- iii. to make a point of order;
- iv. to give a personal explanation;
- v. to exercise a right of reply.

9.23A motion or amendment may be withdrawn by the proposer with the consent of the seconder and of the meeting, which shall be signified without discussion, and no Member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

9.24 When a motion is under debate no other resolution shall be moved except:

- i. To amend the motion;
- ii. To proceed to the next business;
- iii. To adjourn the debate;
- iv. To put the motion to a vote;
- v. To ask a person to be no longer heard or to leave the meeting;
- vi. To refer a motion to a committee or sub-committee for consideration;
- vii. To exclude the public and press;
- viii. To adjourn the meeting; or
- ix. To suspend particular Standing Order(s) excepting those which reflect mandatory statutory or legal requirements.

9.25 In accordance with ***Standing Order 9.22***, the Chair shall first be satisfied that the motion has been sufficiently debated before it is put to the vote. The Chair shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

9.26 Excluding motions moved under ***Standing Order 9.24*** the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the Chair of the meeting.

9.27 The ruling of the Chair of the meeting on a point of order or interpretation of Standing Orders shall be final and shall not be discussed.

9.28 Councillors shall address the Chair.

- 9.29 A councillor shall remain seated unless requested to stand by the Chair.
- 9.30 If two or more councillors speak or indicate a wish to speak the Chair shall call upon one of them to speak and then the other(s) in turn.
- 9.31 Whenever the Chair speaks during debate, all other councillors shall be seated and silent.

10. Disorderly Conduct at Meetings

- 10.1. All councillors must observe the Code of Conduct, which was adopted by the Council on 14th May 2019 and amended on 7th January 2020, a copy of which is annexed to these Standing Orders.
- 10.2. No councillor or person present shall misconduct him or herself at a meeting by persistently disregarding the ruling of the Chair, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- 10.3. If, in the opinion of the Chair, a councillor has so misconducted him or herself, the Chair shall express that opinion to the Council and thereafter any councillor may move that the councillor named be no longer heard or that the councillor named do leave the meeting, and the motion, if seconded, shall be put forth with and without discussion. If a councillor reasonably believes another councillor is in breach of the Code of Conduct, that councillor is under a duty to report the breach to the Monitoring Officer.
- 10.4. If a resolution made under *Standing Order 10.3* is disobeyed, the Chair may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

11. Management of Information

See also Standing Order 19.

- 11.1 The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- 11.2 The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**

- 11.3 **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- 11.4 **Councillors, staff, the Council’s contractors and agents shall not disclose confidential information or personal data without legal justification.**

12. Draft Minutes

- 12.1. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- 12.2. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with *Standing Order 8.1(i)*.
- 12.3. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 12.4. If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:
- “The Chair of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- 12.5. Draft minutes of Council or Committee meetings shall be published on the Council Website (which is publicly accessible and free of charge) within one month of the meeting taking place. The draft shall be replaced with the approved minutes within 7 days of their approval.
- 12.6. Subject to the publication of draft minutes in accordance with *Standing Order 12.5* and *Standing Order 19.1* and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Proper Officer

- 13.1. The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- 13.2. The Proper Officer shall:

- i. **at least three clear days before a meeting of the Council, a committee or a sub-committee,**
- **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
- **provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

*See **Standing Order 1.2** for the meaning of clear days for a meeting of a Full Council and **Standing Order 1.3** for the meaning of clear days for a meeting of a committee.*

- ii. Subject to **Standing Order 7**, include on the agenda all motions in the order received unless a Councillor has given written notice at least 10 days before the meeting, confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. publish on the Yate Town Council website the minutes of meetings;
- vi. **receive and retain copies of byelaws made by other local authorities;**
- vii. retain acceptance of office forms from Councillors;
- viii. retain a copy of every Councillor's register of interests;
- ix. process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's policies and procedures relating to the same;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. manage the organisation, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements;
- xii. arrange for legal deeds to be executed; *See also **Standing Order 22***

- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority;
- xv. refer a planning application received by the Council to the Planning Sub-Committee or other appropriate committee within the time to facilitate an appropriate response to the Planning Authority;
- xvi. manage access to information about the Council via the publication scheme;
- xvii. and retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect or in contravention to the Town Council Terms of Reference.

14. Responsible Finance Officer

- 14.1 The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

15. Accounts and Accounting Statements

- 15.1 "Proper practices" in Standing Orders refer to the most recent version of 'Governance and Accountability for Local Councils – a Practitioners' Guide (England).'
- 15.2 All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.
- 15.3 The Responsible Finance Officer shall make available to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's income and expenditure for each quarter;
 - ii. the Council's aggregate income and expenditure for the year to date;
 - iii. showing the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- 15.4 As soon as possible after the financial year end at 31 March, the Responsible Finance Officer shall provide:
 - i. each councillor with a statement summarising the Council's income and expenditure for the last quarter and the year to date for information;

- ii. to Full Council, the accounting statements for the year in the form of Section 2 of the annual governance and accountability return and Section 1 of the annual return, as required by proper practices, for consideration and approval.
- 15.5 The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (income and expenditure) for the year to 31 March. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

16. Estimates

- 16.1. The Council shall approve written estimates for the coming financial year at its Full Council meeting in January.

17. Financial Controls and Procurement

- 17.1. The Council shall consider and approve Financial Regulations drawn up by the Responsible Finance Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value of below £25,000 due to special circumstances, are exempt from a tendering process or procurement exercise.
- 17.2 Financial Regulations shall be reviewed regularly, as necessary.
- 17.3 **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in *Standing Order 17.6* is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- 17.4 Subject to additional requirements in the Financial Regulations of the Council, the tender process for contracts for the supply of goods, materials,

services or the execution of works shall include, as a minimum, the following steps:

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
- ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
- iii. the invitation to tender shall be advertised on Contract Finder website, on the Council's website and any other appropriate place;
- iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
- v. tenders submitted are to be opened, after the stated closing date and time, by the Clerk or the RFO or in the absence of the clerk or RFO, the Deputy RFO, in the presence of the Chair or the Vice-Chair of the Council or a member of the committee which will consider the tenders;
- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility, unless delegated powers have been granted to the clerk in consultation with a relevant committee, sub-committee or project steering group.

17.5 Neither the Council, nor a committee or a sub-committee or Town Clerk with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

17.6 A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.

17.7 A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

18. Handling Staff Matters

- 18.1. A matter personal to a member of staff that is being considered by a meeting of Council OR a committee or a sub-committee, is subject to *Standing Order 11*.
- 18.2. The Council shall appoint an appropriate member to conduct a review of the performance and annual appraisal of the work of The Town Clerk. The review and appraisal shall be reported in writing.
- 18.3. Any grievance raised by employees and / or councillors are referred to the Council's Grievance Procedure.
- 18.4. Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- 18.5. The Council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- 18.6. Only persons with line management responsibilities shall have access to staff records referred to in *Standing Orders 18.4 and 18.5* if so justified.
- 18.7. Access and means of access by keys and/or computer passwords to records of employment referred to in *Standing Orders 18.4 and 18.5* shall be provided only to the Town Clerk, Deputy Town Clerk, Service Support Manager and the Chair of the Council.

19. Responsibilities to Provide Information

See also Standing Order 20

- 19.1 **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- 19.2 **If gross annual income or expenditure (whichever is the higher) exceeds £200,000 The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

20. Responsibilities Under Data Protection Legislation

See also Standing Order 11.

- 20.1 **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**

- 20.2 **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- 20.3 **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- 20.4 **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- 20.5 **The Council shall maintain a written record of its processing activities.**

21. Relations with the Press/Media

- 21.1 Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.
- 21.2 **Subject to *Standing Order 21.3*, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- 21.3 **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- 21.4 **The press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

22. Execution and Sealing of Legal Deeds

See Standing Orders 13.2xiii and 13.2 xviii

- 22.1 A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution of the Council. Should a document require sealing urgently then the Proper Officer (or in the absence of the Proper Officer, the Deputy Town Clerk) shall, in consultation with the Chair or Vice Chair, arrange for the document to be sealed. All sealed documents shall be recorded in the document register and be reported to the next meeting of the Finance and Governance Committee.
- 22.2 **The Council's Common Seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses. It shall be recorded in the**

document register and be reported to the next Finance and Governance Committee.

- 22.3 Any two councillors of the Council may sign, on behalf of the Council, any licence or agreement and the Proper Officer shall witness their signature. It shall be recorded in the document register and be reported to the next Finance and Governance Committee.

23. Communicating with Unitary Councillors

- 23.1 An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward Councillor(s) representing South Gloucestershire wards of the parish.
- 23.2 Unless the Council determines otherwise, a copy of each letter and email sent to South Gloucestershire Council shall be sent to the appropriate ward Councillor(s) for South Gloucestershire Council.

24. Restrictions on Councillor Activities

- 24.1 Unless authorised by a resolution, no councillor shall:
- i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions;
 - iii. make any statement or take any action in the name of or on behalf of the Council or purporting to be or likely to be construed as to be in the name of or on behalf of the Council which either commits Council to any expenditure or commits or appears to commit the Council to any particular course of action unless authorised to do so by the Council or the relevant committee or sub-committee.

25. Code of Conduct and Dispensations

See also Standing Order 1.29.

- 25.1 All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- 25.2 Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- 25.3 Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He

may return to the meeting after it has considered the matter in which he had the interest.

25.4 Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

25.5 A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.

25.6 A dispensation request shall confirm:

- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
- ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- iv. an explanation as to why the dispensation is sought.

25.7 Subject to *Standing Orders 25.4 and 25.6*, a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.

25.8 A dispensation may be granted in accordance with *Standing Order 25.5* above if having regard to all relevant circumstances the following applies:

- i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or;**
- ii. **granting the dispensation is in the interests of persons living in the Council's area, or;**
- iii. **it is otherwise appropriate to grant a dispensation.**

26. Code of Conduct Complaints

26.1 Upon notification by the Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to *Standing Order 11*, report this to the Chair of the Council.

26.2 Where the notification in *Standing Order 26.1* relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with *Standing Order 26.4*.

26.3 The Council may:

- i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
- ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.

26.4 **Upon notification by the Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

27. Leave of Absence

27.1 Any Member who wishes to be granted formal leave of absence shall give notice to the Town Clerk in writing detailing the reasons for the absence and the anticipated period of time. This shall be presented to the Council for consideration.

28. Standing Orders Generally

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

28.2 A motion to add to or vary or revoke one or more of the Council's Standing Orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 2 Councillors to be given to the Proper Officer in accordance with ***Standing Order 7*** or by recommendation from the Staffing and Governance Sub-Committee.

28.3 The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor as soon as possible after he has delivered his Acceptance of Office form.

28.4 The decision of the Chair of a meeting as to the application of Standing Orders at the meeting shall be final.



Yate Town Council Code of Conduct for Councillors

1 Application

This Code of Conduct applies to you whenever you are acting in your capacity as a member of Yate Town Council, including –

- 1.1 at formal meetings of the Council, its Committees and Sub-Committees;
- 1.2 when acting as a representative of the Town Council;
- 1.3 in taking any decision as a ward Councillor;
- 1.4 in discharging your functions as a ward Councillor;
- 1.5 at briefing meetings with officers and;
- 1.6 at site visits;
- 1.7 when corresponding with the authority other than in a private capacity.

2 General Conduct

As a member or co-opted member of Yate Town Council, I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

As a Member of Yate Town Council, my conduct will in particular address the statutory principles of the code of conduct by:

- Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me;
- Dealing with representations or enquiries from residents, Councillors of our communities and visitors fairly, appropriately and impartially;
- Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the area or the good governance of the Town Council in a proper manner;
- Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of the Town Council;
- Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit;
- Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents;
- Contributing to making the Town Council's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other Councillors to account but restricting access to information when the wider public interest or the law requires it;
- Behaving in accordance with all our legal obligations, alongside any requirements contained within the Town Council's policies, protocols and procedures, including on the use of the Town Council's resources;

- Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government;
- Always treating people with respect, including the organisations and public I engage with and those I work alongside;
- Not bullying or harassing any other person.

Bullying and harassment means any unwanted behaviour that makes someone feel intimidated, degraded, humiliated or offended. It is not necessarily always obviously or apparent to others.

Bullying or harassment can be between two individuals or it may involve groups of people. It might be obvious or it might be insidious. It may be persistent or an isolated incident. It can occur as a result of any form of contact, (verbal or written) examples of how bullying or harassment might occur includes via written communications, by phone, email, via social media or fact to face.

Examples of bullying/harassing behaviour could include;

- Spreading malicious rumours, or insulting someone
- Exclusion or victimisation
- Unfair treatment
- Deliberately undermining a competent worker by constant criticism)

The above are examples of how bullying or harassment may occur and of what may constitute bullying or harassment. The examples are not exhaustive.

- Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

3 Disclosable Pecuniary Interests (DPIs)

You must -

- 3.1. comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you have a disclosable pecuniary interest.
- 3.2. ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests.

- 3.3. make verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent and leave the room for the duration of the debate and the vote on the item of business which affects or relates to the interest.
- 3.4. “Meeting” means any meeting organised by or on behalf of the Town Council, including –
 - 3.4.1. any meeting of the Council, or a Committee or Sub-Committee of Council;
 - 3.4.2. in taking a decision as a Ward Councillor;
 - 3.4.3. at any briefing by officers; and
 - 3.4.4. at any site visit to do with business of the Town Council.

4 Other Interests

- 4.1. In addition to the requirements of Paragraph 3, if you attend a meeting at which any item of business is to be considered and you are aware that you have a “non-disclosable pecuniary interest or non-pecuniary interest” in that item, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent and leave the room for the duration of the debate and the vote on the item of business which affects or relates to the interest.
- 4.2. You have a “non-disclosable pecuniary interest or non-pecuniary interest” in an item of business of your authority where –
 - 4.2.1. a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person or body with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Town Council’s administrative area, or
 - 4.2.2. it relates to or is likely to affect any of the interests listed in the Table in the Appendix to this Code, but in respect of a member of your family (other than a “relevant person”) or a person with whom you have a close association

and that interest is not a disclosable pecuniary interest.

For the avoidance of doubt a report by a member to Council, committee or sub-committee on the activities of an outside body to which they are appointed by Council, will not constitute a breach of the Code of Conduct, provided the report does not require a decision that affects the wellbeing or financial position of the organisation.

5 Gifts and Hospitality

- 5.1. You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 or totalling £100 over a year from a single source which you have accepted as a member of Yate Town Council from any person or body other than the authority.
- 5.2. The Monitoring Officer will place your notification on a public register of gifts and hospitality.
- 5.3. This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Town Council for this purpose.

Disclosable Pecuniary Interests (DPIs)

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

Interest	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992).
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either—

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose –

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.