

HAYWARDS HEATH TOWN COUNCIL

STANDING ORDERS

COUNCIL

1. MEETINGS

a) **The Statutory Annual meeting**

In an election year the Annual Meeting of the Council shall be held on or within 14 days following the day on which Councillors elected take office and in a year which is not an election year the Annual Town Council Meeting shall be held on such day in May as the Council may direct.

b) **Statutory Meetings**

In addition to the Statutory Annual Town Council Meeting at least three other statutory meetings shall be held in each year on such dates and times as the Council may direct.

c) **Ordinary Meetings**

Ordinary meetings of the Council shall be held on such dates and times as the Council may direct.

d) **Venue and Time**

Meeting of the Town Council shall normally take place in the Council Chamber 40, Boltro Road, Haywards Heath, at 7.30 p.m., unless the Council directs some other place and time.

e) **Public Question Time**

A period not exceeding 15 minutes shall be allowed for members of the public to put questions to the Council prior to the commencement of business. This shall be limited to three minutes per person. Questions should be submitted to the Council by mid day on the day of the meeting at which the question is to be asked. If there is insufficient questions to fill the 15 minute period, the Council will commence business forthwith.

2. TOWN MAYOR OR CHAIRMAN OF THE MEETING

At the Meeting of the Council, the Town Mayor, if present, shall preside. If the Mayor is not present, the Deputy Mayor, if present, will preside. If neither is present the Council shall appoint a Member to preside at the meeting.

In the event of the Mayor or Deputy Mayor, as the case may be, arriving after the commencement of the meeting, the Deputy Mayor or other Chairman appointed "pro tem" shall vacate the chair and the Mayor, or Deputy Mayor as the case may be, shall thereupon preside.

In these Standing Orders the title Town Mayor means the Chairman of the Council but any power or duty assigned to the Town Mayor, in relation to the conduct of a Council Meeting, may be exercised by the member presiding at the meeting.

3. QUORUM OF THE COUNCIL

- a) No business of the Council shall be transacted unless at least six members of the Council are present.

- b) If at the expiration of fifteen minutes after the time at which any meeting of the Council is appointed to be held, the Town Clerk after counting the number of Members present, announces that a quorum is not present then no meeting shall take place.
- c) If, during any meeting of the Council the attention of the Mayor shall be called to the fact that there is not a quorum present, the Town Clerk shall call over the names of the members of the Council and if there be not one-third of the Members present, the Mayor shall adjourn the meeting of the Council and the names of those who are present and those who are absent shall be recorded by the Town Clerk in the Minutes of the Council. Consideration of any business not transacted shall be given at the next ordinary meeting of the Council

4. VOTING

- a) Voting is determined by a show of hands provided that a Member of the Council request either before or after a vote, a record of how each Member voted. The record shall be made by the Town Clerk calling out each Member's name and that Member stating whether they were for, against or abstained from voting.
- b) In the case of an equality of votes the Mayor, whether or not he/she has already voted may give a casting vote.
- c) The person presiding at the annual meeting must give a casting vote whenever there is an equality of votes in an election for Town Mayor.

5. ORDER OF BUSINESS

At each Annual Meeting of the Council the first business shall be:

- a) To elect a Town Mayor for ensuing year.
- b) To receive the Town Mayor's declaration of acceptance of office.
- c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received
- e) To appoint the Deputy Town Mayor
- f) To appoint the Leader.
- g) To appoint the Deputy Leader
- h) To appoint Committees.
- i) To appoint Chairmen of Committees.
- j) To appoint Vice Chairmen of Committees.
- k) To appoint representatives on outside bodies.
- l) To transact the ordinary business of the Council
- m) To consider confidential business of the Council

6. At every meeting other than the Annual Meeting of the Town Council the first business shall be to appoint a Chairman if the Town Mayor and the Deputy Town Mayor be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's Code of Conduct as are required by law to be made or, if not received, to decide when they shall be received
7. In every year, not later than the meeting at which the estimates for next year's budget are settled, the Council shall review the pay and conditions of service of existing employees.
Standing Order 22 and 38 must be read in conjunction with this requirement.
8. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:
 - a) To confirm and approve for signature of the minutes by the person presiding, as a correct record
 - b) To deal with any business expressly required by statute
 - c) To receive any communications the Town Mayor (or person presiding) may wish to lay before Council.
 - d) To receive and consider Committee minutes.
 - e) To receive and consider any resolutions or recommendations in the order in which they have been received.
 - f) To authorise the sealing of documents.

9. URGENT BUSINESS

A motion to vary the order of business on the ground of urgency

- a) May be proposed by the Town Mayor or by any member and if proposed by the Town Mayor, may be put to the vote without being seconded

and
- b) Shall be put to the vote without discussion.

10. RESOLUTIONS MOVED ON NOTICE

Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 7 clear days before the meeting.

- a) The Clerk shall date every notice of resolution or recommendation received and shall number each notice in the order in which it was received and shall enter it in a file which shall be open to the inspection of every member of the Council
- b) The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving notice of motion has stated in writing that he/she intends to move at some later meeting or that he/she withdraws it.
- c) If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall unless

postponed by the Council, be treated as withdrawn and shall not be moved without a fresh notice.

- d) If the subject matter of a resolution comes within the province of a committee of the Council, it shall, on being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Town Mayor. If he/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it has been moved.
- e) Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.
- f) If notice is given of any motion which the Town Clerk considers to be out of order, illegal, irregular or improper, he/she shall inform the Mayor and shall not place it on the Agenda without the approval of the Mayor. If the motion is not accepted the Town Clerk shall forthwith inform the member or Members giving the notice of motion.

11. RESOLUTIONS MOVED WITHOUT NOTICE

The following motions and amendments may be moved without notice:

- a) To appoint a Chairman for the meeting.
- b) To correct the minutes.
- c) To approve the minutes.
- d) To appoint a committee or any members thereof.
- e) To adopt a report.
- f) To authorise the sealing of documents.
- g) To amend a resolution.
- h) To give leave to withdraw a resolution or an amendment.
- i) To extend time limit for speeches.
- j) To exclude the public and press.(see S.O. 39)
- k) To silence or eject from the meeting a member named for misconduct.
- l) To invite a member having an interest in the subject matter under debate, to remain.
- m) To give consent of the Council where such consent is required by Standing Orders.
- n) To suspend Standing Orders.
- o) That the Council proceed to next business.
- p) To adjourn the meeting

12. QUESTIONS

A member of the Council may ask the Town Mayor or the Clerk any question concerning the business of the Council, provided three clear days notice of the question has been given to the person to whom it is addressed.

- a) No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- b) Every question shall be put and answered without discussion.
- c) A person to whom a question has been put may decline to answer.

13. RULES OF DEBATE

No discussion shall take place upon a Minute except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Mayor.

- a) A resolution or amendment shall not be discussed unless it has been proposed and seconded and unless proper notice has already been given. It shall, if required by the Town Mayor, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- b) A member when seconding a resolution or amendment may, if he/she then declares his/her intention to do so, reserve his speech until a later period of the debate.
- c) A member shall direct his/her speech to the question under discussion or to a personal explanation or to a question of order.
- d) No speech by a mover of a motion shall exceed five minutes and no other speech shall exceed three minutes except by consent of the Council.
- e) An amendment shall be either:
 - To leave out words
 - To leave out words and insert other
 - To insert or add words.
 - To refer a subject of debate to a Committee for consideration or reconsideration.
- f) An amendment shall not have the effect of negating the motion before the Council.
- g) 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.
- h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding three minutes.
- j) A member, other than the mover of a resolution or the Leader of the Council, 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 a personal explanation or to move a closure.
- k) A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him/her which may have been misunderstood.
- l) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- m) When a resolution is under debate no other resolution shall be moved except the following:

To amend the resolution.
To proceed to next business.
To adjourn the debate.
That the question be now put.
That a member named be not further heard
That a member named do leave the meeting.
That the motion be referred to a Committee.
To exclude the public and press.
To adjourn the meeting.

14. SPEAKING AT COUNCIL

A member shall indicate his/her wish to speak by rising his/her hand and his/her name will be entered on a list by the Deputy Mayor until called on to speak by the Town Mayor, when he/she will stand before proceeding, unless on account of infirmity the Town Mayor will permit him/her to remain seated.

- a) The ruling of the Town Mayor on a point of order or on the admissibility of a personal explanation shall not be discussed.
- b) Members shall address the Mayor.
- c) Whenever the Mayor rises during a debate all others shall be seated and silent.

15. CLOSURE

At the end of any speech a member may, without comment, move, "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded, the Town Mayor shall put the motion but, in the case of a motion "that the question be now put", only if he/she is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he/she shall call upon the mover to exercise or waive their right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

16. DISORDERLY CONDUCT

All Members must observe the Code of Conduct which was adopted by the Council and a copy given to all members on being elected to the Council. And which is now part of and should be kept with these Standing Orders.

- a) No member shall at a meeting persistently disregard the ruling of the Town Mayor, wilfully obstruct business or behave irregularly, offensively, improperly, or in such a manner as to bring the Council into disrepute.
- b) If, in the opinion of the Town Mayor, a member has broken the provisions of paragraph a) of this Order, the Mayor shall express that opinion to the Council and thereafter any member may move that the member named, be no longer heard or that the member named, do leave the meeting and the motion, if seconded, shall be put forthwith and without discussion.
- c) If either of the motions mentioned in paragraph b) is disobeyed, the Town Mayor may suspend the meeting or take such further steps as may be necessary to enforce them.

17. RIGHT OF REPLY

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

18. ALTERATION OF RESOLUTION

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

19. RESCISSION OF PREVIOUS RESOLUTION

- a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice of which bears the signatures of at least six members of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee.
- b) When a special resolution or any other resolution moved under the provisions of paragraph a) of this order has been disposed of, no similar resolution may be moved within a further six months.

20. VOTING ON APPOINTMENTS

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

21. DISCUSSIONS & RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of any person employed by the Council, it shall not be considered until (in the case of the Clerk) the Council (or in the case of other employees) the Committee, has resolved whether or not to exclude the public and press.

22. RESOLUTIONS ON EXPENDITURE

Any resolution (which is moved otherwise than in pursuance of a recommendation of the Policy & Finance Committee or of another committee after recommendation by the Policy & Finance Committee) and which if carried, would, in the opinion of the Town Mayor, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Policy & Finance Committee shall report on the financial aspect of the matters).

23. EXPENDITURE

Orders for the payment of money shall be authorised by resolution of the Council and signed by any two nominated members.

24. FINANCE ACCOUNTS AND STATEMENTS

- a) The Council shall approve a budget of Income and Expenditure both revenue and capital prepared by the Policy and Finance Committee for the coming financial year at its meeting in the month of January.
- b) Any Committee shall not later than the November/December cycle, give to the Clerk for submission to the Policy & Finance Committee, a budget of its income and expenditure, both revenue and capital for the coming year.
- c) All accounts for payment within the agreed budget shall be certified as to their correctness by the RFO (Responsible Finance Officer), or the Chairman of the Committee has charge of the business to which it relates or by the Town Mayor or Deputy Mayor.
- d) A schedule of payments to include all payments made and claims upon the Council shall be tabled at each Policy & Finance Committee with recommendation to the Council
- e) The RFO shall supply each member as soon as practicable after the 31st March in each year a statement of the receipts and payments of the Council for the completed financial year. A financial Statement prepared on the appropriate accounting basis for a year to 31st March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to the Council for formal approval before the end of the following month of September.

25. SEALING OF DOCUMENTS

- a) The Common Seal of the Council shall be kept in a safe place in the office of the Town Clerk
- b) The Common Seal of the Council shall not be affixed to any document unless it has been authorised by a resolution.

The Seal shall be attested by one at least of the following persons present at the sealing, viz. The Mayor, Deputy Mayor or the Town Clerk.

26. SPECIAL MEETING

The Chairman of a Committee or the Town Mayor may summon an additional meeting of a Committee or the Full Council, to deal with matters of urgency. A special meeting may also be requested, on the requisition in writing, of not less than three of the members of the Committee. The Agenda shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

27. COMMITTEES

The Council may, at the Annual Meeting, appoint Standing Committees and may at any other time appoint such other Committees as it deems necessary, but subject to any statutory provision in that behalf :-:

- a) Shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting
- b) May appoint persons other than members of the Council to any committees

And

- c) May, subject to the provisions of Standing Order 20 above, at any time dissolve or alter the membership of a Committee.
- d) The Town Mayor and Deputy Town Mayor shall be ex officio voting members of every Committee (unless they are a Committee member in their own right).

28. SUB-COMMITTEES

Every committee may appoint sub-committees/working parties for purposes to be specified by the committee.

- a) The Chairman and Vice Chairman of the committee shall be members of any sub Committee/working party, unless they signify that they do not wish to serve.
- b) Except where ordered by the Council in the case of a Committee, or by the Council, or by the appropriate Committee in the case of a Sub-Committee, the quorum of a Committee or a Sub-Committee shall be one half of its membership.
- c) The Standing Orders on rules of debate (except those parts relating to the Meeting of the Council) and the Standing Order on interests of members in contracts and other matters shall apply to Committee and Sub-Committee meetings.

29. WORKING PARTIES

Every Standing Committee appointed by the Council may appoint special Working Parties for purposes to be specified by the Committee. No act of a Working Party shall have effect, however, until approved by the parent committee. The Chairman and Vice Chairman of the Committee shall be ex-officio Members of every Working Party approved by that Committee.

30. VOTING IN COMMITTEES

Members of committees and sub committees entitled to vote, shall vote by a show of hands, or if requested by at least two members, by signed ballot

Chairmen of Committees and sub committees shall in the case of an equality of votes have a second or casting vote.

31. ATTENDANCE OF MEMBERS NOT ON STANDING COMMITTEES, SUB-COMMITTEES OR WORKING PARTIES

Any Member of the Council desirous of attending any meeting of a Standing Committee, Sub Committee or Working Party, other than those to which they have been appointed and of speaking on any particular business set out on the Agenda for such meeting may do so provided that the consent of the Chairman of the Committee, sub-Committee or Working Party was obtained before the meeting commenced.

Any Member not on a Standing Committee, sub-Committee or Working Party who has been given permission by the Chairman to speak will not be allowed to vote on any matter under discussion.

32. INTEREST OF MEMBERS IN CONTRACTS AND OTHER MATTERS

- a) It shall be the responsibility of any member with a personal interest in a contract or any other matter being considered by the Council or Committee to

declare such and state the reason for the declaration as stated in the Council's Code of Conduct.

- b) If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interests relates.
- c) The Clerk will register in the Minutes, members declared interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

33. INTEREST OF EMPLOYEES IN CONTRACTS

- a) The Town Clerk shall record particulars of any notice given by an employee of the Council of a pecuniary or non-pecuniary interest in a contract and the reason for the Declaration. The record shall be available for inspection during office hours by Members of the Council.
- b) The recording of a pecuniary or non-pecuniary interest shall also apply in respect of any nominee of the Town Clerk

34. CANVASSING AND RECOMMENDATIONS BY MEMBERS

- a) Canvassing of members of the Council or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of the Standing Order to every candidate.
- b) A member of the Council or any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion, but, nevertheless, a member may give a written testimonial of a candidate's ability, experience or character reference for submission to the Council with an application for appointment.
- c) Standing Order 39 shall apply to tenders as if the person making the tender were a candidate for an appointment.

35. INSPECTION OF DOCUMENTS

A member may for the purpose of his/her duty as a Councillor (but not otherwise), inspect any document in possession of the Council or a Committee and if copies are available shall, on request, be supplied for the like purpose, with a copy.

36. All Minutes kept by the Council or Committee shall be open for the inspection of any member of the Council.

37. UNAUTHORISED ACTIVITIES

No member of the Council or any Committee or Sub-Committee shall in the name of or on behalf the Council:

- a) inspect any lands or premises which the Council has a right or duty to inspect
- or
- b) issue orders, instructions or directions.
Unless authorised to do by the Council or relevant Committee.

38. ADMISSION BY PUBLIC AND PRESS

The public and press shall be admitted to meetings of the Council, its Committees and Sub-Committees, which may, however, temporarily exclude them by means of the following resolutions :-

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

- a) The Council shall state the special reason for exclusion.
- b) If a member of the public interrupts the proceedings at any meeting, the Mayor/Chairman may after warning, order that he/she be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order..
- c) At all meetings of the Council/Committees a period of up to 15 minutes prior to the start of the meeting, will be allowed for the public to address the meeting in relation to any business being transacted at that meeting.. This shall be limited to three minutes per person, at the discretion of the Mayor/Chairman
- d) Where appropriate members of the public will be asked to inform the Clerk by mid day of the meeting that they wish to speak and where possible put any questions in writing.
- e) The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present.
- f) There shall be no audio or video recording or photographs of the meeting by any persons without the express approval of the Council.

39. CONFIDENTIAL BUSINESS

No member of the Council or of any Committee or Sub-Committee or Working Party shall disclose to any other person not a member of the Council, any business declared to be confidential by the Council, a Committee, Sub-Committee or Working Party as the case may be.

- a) Any member in breach of the provisions above of this Standing Order shall be removed from any Committee or Sub-Committee or Working Party of the Council by the Council.

40. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

All County and District Councillors representing the town of Haywards Heath shall be sent a notice of the Annual Town Meeting and Annual Meeting of the Council and where requested, will be sent the list of dates of all meetings of the Council and its Committees for the year. When ordered by the Council or Committee, the Clerk shall send copies of letters to the County and District Councillors of the appropriate wards.

41. PLANNING APPLICATIONS

Members will be kept informed of all planning applications by being sent all Planning Agendas and reports by the Clerk.

42. CODE OF CONDUCT ON COMPLAINTS

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member, in the manner adopted by the Council, except for those complaints which would be properly directed to the Monitoring Officer at Mid Sussex District Council for consideration. (*Code of Conduct on Complaints attached to these Standing Orders*).

43. FINANCIAL MATTERS

The Council shall provide and approve Financial Regulations drawn up by the National Association of Local Councils (*attached to these Standing Orders*).

44. DELEGATION TO TOWN CLERK AS THE PROPER OFFICER

The Council accepts the delegation to the Town Clerk as the proper officer of the Council as set out and attached to these Standing orders.

45. SUBSTITUTION AND ATTENDANCE AT MEETINGS

Substitution at Committee meetings whilst not compulsory may be used by members who wish to take advantage of this system.

- a) Members who are unable to attend their Committee meeting must write, telephone or email the Council offices with the name of their substitute, by noon on the day of the meeting taking place.
- b) Those Members who do not wish to appoint a substitute should send their apologies and reasons for non-attendance to the Clerk.
- c) If the Clerk receives no apologies prior to the meeting, whether Committee or the Council, that member will be recorded as being absent.

46. CONTRACTS TO COMPLY WITH STANDING ORDERS

Every contract, whether made by the Council or by a Committee or Sub-Committee to which the power of making contracts shall have been delegated, shall comply with these Standing Orders and no exception from any of the following provisions of these Orders shall be made otherwise than by direction of the Council, in an emergency, by such a Committee or Sub-Committee as aforesaid with the approval of the Chairman of the Policy and Finance Committee.

Exceptions

- a) Every exception made by a Committee or Sub-Committee to which the power of making contracts has been delegated shall be reported to the Council and the report shall specify the emergency by which the exception shall have been justified.
- b) Express note of any exception from any of the provisions of these Standing Orders and of the emergency, if any, by which the exception shall have been justified shall, unless recorded in the report of a Committee or Sub Committee, which is laid before the Council, be made in the Minutes of the Council.
- c) The Town Clerk and/or the RFO shall ensure that the estimated cost has been included in the annual budget of the Council under the appropriate heading.

Financial Variations

All financial limits imposed by Orders 47 – 49) are effective from 1st April 2009. On April 1st 2010 and each subsequent anniversary the limits are to be revised to take account of changes in the RPI during the preceding twelve months rounded to the nearest £100.00.

47. TENDERING PROCEDURES

- a) The following tender procedures shall apply to every contract for works or purchase of goods or services.

<u>Estimated Value</u>	<u>Method of Invitation</u>	<u>Accepted By</u>
£5,000 - £10,000	Min of three quotations	Town Clerk
£10,000 - £20,000	Min. of four quotations	Chairman and Vice Chairman of appropriate Committee & the Town Clerk
£20,000 - £50,000	Min. of five invitations to tender (with discretion to invite tenders by public advertisement up to £75,000 & the Town Clerk	Chairman and Vice Chairman of appropriate Committee
Above £75,000	Public advertisement Inviting tenders in one or more local newspaper circulating in the district, with a minimum of 10 days notice	Chairman & Vice Chairman of Policy & Finance and the Town Clerk

In all cases where estimates or tenders are received from the suppliers of goods and services which are then amended by the supplier after acceptance, and the variance is in excess of 5%, the estimate or tender, shall be reported to the appropriate Committee for acceptance or otherwise.

48. LIST OF TENDERERS

- a) Where the Council has determined that lists shall be kept of parties to be invited to tender for contracts for the supply of goods and materials of specified categories of work, notices inviting applications for inclusion in the lists shall be published in one or more newspapers or journals circulating amongst parties who undertake contracts.
- b) The lists shall contain the names of all parties who wish to be included in it and are approved by the appropriate Committee and indicate whether a person whose name is included on it is approved for contracts for all, or only some of the specified values or amounts or categories.
- c) The said list shall be amended as required from time to time and shall be reviewed at intervals not exceeding five years.
- d) Where, by virtue of a decision by the Council or of the Committees or the Town Clerk, duly authorised on that behalf, invitation to tender for a contract is limited to persons whose name appears on the list maintained under this Order, an invitation to tender for a particular contract shall be sent. In respect of contracts above £10,000

but less than £20,000 to three tenderers, and for contracts over £20,000 but less than £100,000 to five tenderers or if fewer are listed not less than those.

Exceptions to procedures

The Order shall not apply to

- a) the supply of goods and materials less than £5,000
- b) purchase by auction
- c) purchase or repair of patented or proprietary goods or materials sold at fixed price.
- d) purchase of materials normally supplied by specialist contractors.
- e) the execution of work, the purchase of goods or materials or the provision of services involving special, scientific or artistic knowledge.
- f) the execution of work or the purchase of goods or materials which are a matter of urgency after prior reference to the appropriate Committee Chairman.
- g) the purchase of goods or materials which the Town Clerk may from time to time deem it expedient to make in the open market provided that before any such purchase the approval of the Chairman of the appropriate committee concerned is obtained and finance is available in the appropriate budget.
- h) contracts with professional persons for the execution of works in which the personal skills of the person is of primary importance.
- i) those contracts where a Committee may expressly determine that it is in the Council's interest that a tender be negotiated directly with a contractor or supplier of goods or services.

Requirements for submission of tenders

Where in pursuance of Order 48 a) public invitation to tender is required, every notice of invitation shall state that tenders must be submitted in a plain sealed envelope marked "Tender" followed by the subject to which it relates and no other mark.

Tenders shall remain in the custody of the Town clerk until the time appointed for them to be opened.

Declarations as to Conduct of Tenderer

In connection with the submission of tenders for the execution of works or supply of goods and materials, declarations shall be obtained from each tenderer in the following form "We declare that we are not parties to any scheme or arrangement under which:

- a) we communicate the amount of our tender to any other person or body before the contract is let
- b) any other tenderer for the works, which are the subject of our tender, is reimbursed any part of his tendering costs and
- c) our tender prices are adjusted by reference directly or indirectly to the prices of any other tenderer for the works. No provision is made in our tender price for any reimbursement of any adjustment of any contribution thereto"

Procedure for opening tenders

Tenders shall be opened by the Town Clerk or an official of the Council designated by him/her at one time and only in the presence of such Member(s) of the Council as may have been designated for the purpose. The tenders shall be recorded in a register and reported to the next appropriate committee or Council meeting.

Limitations of acceptance of tenders

Tenders other than the lowest tender if payment is to be made by the Council or the highest tender if payment is to be received by the Council shall not be accepted until the Council shall have considered a written report from the appropriate officer.

49. CONTRACTS FOR SUPPLIES AND SERVICES ETC

Every contract which exceeds £10,000 in value or amount shall be in writing.

Every contract in writing shall be signed by the Town Clerk on behalf of the Council.

50. CONTRACTS FOR SUPPLIES SERVICES OR WORKS

Every contract for which provision has been made in the approved annual estimates and/or approved by the appropriate Committee or Sub Committee of the Council pursuant to Standing orders and being in value of amount less than £10,000 shall be entered into on behalf of the Council by the Town Clerk or his/her nominated representative.

51. CONTENTS OF WRITTEN CONTRACTS AND PENALTIES

Every contract shall specify

- a) the work, materials, matters or things to be furnished, had or done
- b) the price to be paid with a statement of discounts or other deductions
- c) the time or times within which the contract is to be performed.

52. CORRUPT PRACTICES

Every written contract shall contain a clause permitting the Council to cancel the contract and to recover from the contractor or his employee or agent (acting without the contractors knowledge) the amount of any costs or loss resulting from such cancellation if the contractor shall have:

offered or given a bribe or other inducement
done or refrained from doing any act

made a promise or arrangement with the object of securing the contract or a contract previously entered into with the Council or shall have committed any offence under the Prevention of Corruption Act 1889 – 1916, or shall have given any fee or reward the receipt of which is an offence under section 117(2) of the Local Government Act 1972.

53. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

Any or every part of the Standing orders except those printed bold type may be suspended by resolution in relation to any specific item of business.

- a) A resolution permanently to add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

- b) A motion to suspend Standing Orders shall not be moved without notice unless there shall be present at least one-half of the whole number of such persons eligible to be at such meeting.

54. STANDING ORDERS TO BE GIVEN TO MEMBERS

A copy of Standing Orders shall be given to each member by the Town Clerk upon delivery to her/him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.

55. CONFIRMATION OF STANDING ORDERS

Standing Orders shall be reviewed and confirmed at Full Council annually.

TERMS OF REFERENCE

MATTERS TO BE DEALT WITH SOLELY BY THE COUNCIL

- a) The power of raising loans and making the precept.
- b) The power of incurring capital expenditure not specifically included in the Council's approved estimate of expenditure for the time being.
- c) The appointment to or co-option on a Committee or sub-Committee of a person who is not a Member of the Council.
- d) Standing Orders and the functions and constitution of Committees and sub-Committees.
- e) Dates of meetings.
- f) Appointment or nomination by the Council of persons to fill vacancies on outside bodies arising during a Council year.
- g) Filling of vacancies occurring on any Committee of the Council during the Council year.
- h) The appointment or dismissal of the Clerk to the Council.

The Council may at any time without prejudice to executive action already taken exercise the executive power delegated to a Committee.

PLANNING COMMITTEE

Membership 8 Members

- a) The making of representations to the Local Planning Authority on applications for planning permission, which have been notified in accordance with the Town and Country Planning Act 1990.
- b) The making of representations in respect of appeals against the refusal of planning permission.
- c) To make recommendations to MSDC regarding street names.
- d) To consider and monitor the town and other development plans and make the appropriate representations.
- e) To consider applications for road closures.
- f) To consider recommendations made by the Working Group tasked with reviewing the development of housing in Haywards Heath;

LOCAL PLANNING WORKING GROUP

Membership: Chairman of Planning and four other Members.

- a) To comment on matters relating to the development of housing in the Town, in line with the District Plan';
- b) To comment on the development of a Neighbourhood Plan for Haywards Heath.
 - Consider and scrutinise consultation feedback.
 - Assist and make recommendation on the drafting of the Plan.
- c) To consider proposed housing sites for development in Haywards Heath;
- d) To consider and comment upon development briefs/plans developed for the Town.
- e) To consider matters relating to the redevelopment of the station quarter and the town centre.
- f) To consider/note requests for the expenditure of Section 106 contributions allocated to Haywards Heath by third parties or directly by the Town Council.
- g) To consider and comment upon consultations relating to planning matters in relation to Mid Sussex District Council, West Sussex County Council or any other regional or national statutory bodies.

ENVIRONMENT AND GENERAL PURPOSES COMMITTEE.

Membership 8 members plus Mayor and Deputy Mayor as ex officio

- a) The maintenance, promotion and administration of allotments.
- b) The maintenance and management of the Cemetery in Western Road.
- c) The maintenance of Muster Green under its Charitable status, including the War memorial.
- d) To maintain footway lighting within the Council's ownership and upgrade to County Standard where possible.
- e) To provide, maintain, and replace street furniture such as: Litter bins, Public seats, Bus and public shelter, Notice Boards, Salt bins
- f) To provide grant aid to maintain public clock on St Wilfrid's tower.
- g) To be responsible for all Council run events such as: Tulip/Spring Festival; Best Kept Garden Competition; Town Day; Christmas Festival; and any one off events that arise.
- h) To identify and promote new leisure facilities such as Town walks; Cinema; Art Gallery; Museum etc.
- i) To join in National Initiatives such as Litter Pick Week; Tree Week; Cycling Week;
- j) To promote nature conservation and ecological studies to include Tree Wardens and Tree planting initiatives;
- k) To promote community development such as Young Citizen Week.
- l) To promote the economic development of the town such as Farmer's Market; Continental/French Market; Tourism;
- m) To provide, maintain and replace: Flowerbeds, Barriers troughs, Hanging Baskets, Pole Baskets
- n) To maintain, promote sponsorship of roundabouts under licence from the County Council.
- o) To submit the Environment & General Purposes Committee budget for consideration as part of the Council's overall budget.
- p) To receive an update on the following Working Groups affiliated to the Town Council, namely Bolnore Working Party and the Haywards Heath in Bloom Committee.

SOUTH AND SOUTH EAST IN BLOOM COMMITTEE

- a) To administer the Town's application, under delegation, into the SOUTH AND SOUTH EAST IN BLOOM.

HAYWARDS HEATH SPORTS FORUM

- a) To administer HAYWARDS HEATH SPORTS FORUM.

POLICY & FINANCE COMMITTEE

Membership: 8 members with Mayor and Deputy Mayor ex officio

To co-ordinate and undertake detailed consideration of all financial matters affecting the Council and making the necessary recommendations to Council.

- a) Dealing with matters specifically referred by the Council or other Committees and with any other matter not specifically referred or delegated to any Committee, to include all financial and policy making matters, with special reference to tenders, contracts and general administration of Town Hall.
- b) To be responsible for the monitoring of capital and revenue budgets and list of payments.
- c) Dealing with the Terms and Conditions of Service and superannuation of Town Council Officers and staff and making appropriate recommendations.
- d) Dealing with Newsletters.
- e) To deal with all applications for grants and donations/subsidies.
- f) Dealing with the preparation of the draft budget and recommendation of the precept to Council.
- g) To ensure that the financial regulations and systems of the Council are adhered to and to consider any reports from the auditors that might arise following the audit of the end of year accounts.
- h) Liaison with Hayward Heath Business Association/Groups and other bodies.
- i) To make recommendations to Council on the acquisition and disposal of land.
- j) To consider any proposals relating to the devolution of assets or services from Mid Sussex District Council or West Sussex County Council.

STAFF WORKING PARTY

Membership Mayor, Leader, Chairman of P & F, one other and one other.

- a. To make recommendation on the terms, annual remuneration and conditions of staff.
- b. To consider requests for new members of staff and make recommendations to Council.
- c. To consider any issues relating to staff and make recommendations to Council.

CHAIRMAN'S WORKING GROUP

Membership: Leader, Chairman of Policy and Finance, Chairman of Environment and General Purpose, Chairman of Planning

- a. To share information on upcoming agenda items;
- b. To ensure that consistency in the administration of meetings is being implemented.

EDITORIAL/MEDIA/WEBSITE

Membership: 5 Members

- a. To consider input for quarterly Newsletter.
- b. Oversee the content of Web site.

TRANSPORT WORKING PARTY (QNP)

Membership: 2 Members with outside partners.

- a. The Haywards QNP is voluntary. Its aim is to assist the partners to increase public transport usage through improving services, whilst building upon the viability and sustainability of the commercial public transport network.

- b.** The QNP will encourage and facilitate the use of both existing and new powers to allow both bus and train operators to develop and enhance the commercial public transport network, while supporting subsidised services where identified needs cannot be met commercially, providing the public with a viable alternative to the car for commuting, retail and leisure journeys to and within the Town.

DELEGATION TO MAYOR & COMMITTEE CHAIRMEN GENERALLY

- To cancel or postpone a meeting owing to a lack of business or in an emergency.
- When a Working Party or Sub Committee is set up, its function, remit and membership is agreed at that time by the Standing Committee Council.

DELEGATION TO THE TOWN CLERK

The Town Clerk, in consultation with the Chairman and Vice Chairman of the appropriate Committees, to take action deemed desirable on any matters which the Committee concerned has delegated powers but which require urgent action.

Where statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, she/he shall be the Town Clerk:

- i) To receive declarations of acceptance of office.
- ii) To receive and record notices of Members Interests.
- iii) To receive and retain plans and documents.
- iv) To sign notices or other documents on behalf of the Council
- v) To receive copies of bye-laws.
- vi) To certify copies of bye-laws made by the Council
- vii) To sign summonses to attend meetings of the Council

The Town Clerk shall have full day to day authority to deal with the business of the Council, within the agreed policies and budgets of the Council, subject to the adherence with Financial Regulations/Standing Orders. This is specifically defined as follows:

- a) Purchase of goods and services within the confines of the approved budget,
- b) To implement decisions of the Council & its Standing committees, subject to the adherence of Financial Regulations/Standing Orders,
- c) To institute any required proceedings under Council's bye-laws,
- d) Appointment & dismissal of staff
- e) Authorisation of leave and carry-over leave.
- f) The awarding of increments in accordance with National Conditions of Service.
- g) The authorisation of compassionate leave up to seven days a year
- h) Authorisation of overtime working
- i) Approval of staff training courses
- j) Urgent action to ensure or safeguard staff welfare
- k) Arranging official courtesy receptions/entertainment of guests of, or advisers to, the Council.
- l) Letting of Council facilities
- m) Payment of salaries, wages, pensions and taxes of staff employed by the Council or retired from service (through the Responsible Finance Officer)
- n) Negotiations of insurance agreements for Council property and services

- o) To co-ordinate and direct the publication of the Town Council Newsletter and Town Guide.
- p) To deal with the provision and maintenance of

Allotments	Notice Boards
Cemeteries.	Street & footway lighting
Litter Bins	Church Clock
Public Seats	Christmas Lights
Bus & Public Shelters	War memorial
- q) The management and maintenance of grounds maintenance contracts
- r) Co-ordinating all operational issues and partnership agreements that affect the Town Council
- s) Dealing with the local media on all press releases and/or Council promotions
- t) Co-ordinate any youth development issues or initiatives.
- u) Co-ordinate and direct the Council's involvement in any annual Town events
- v) Co-ordinate the Council's agreed civic role on Town Twinning.
- w) To manage the Council's office premises including all operational issues/budgets.

HAYWARDS HEATH TOWN COUNCIL

LEADER OF THE COUNCIL - ROLE AND RESPONSIBILITIES

In accordance with approved Full Council minute no.30 dated 18th July 2011 the Leader of the majority group on the Town Council at any time will assume the position of Leader of the Council and, *for the purposes of the democratic legitimacy will be subject to formal appointment at the Annual Town Council meeting (s)* he will have the following approved power:-

The Leader of the Council has prime responsibility for the political and policy direction of the Council. The Leader will be elected at the Annual meeting of the Council.

Activities

- Chair meetings of the Chairman's Working Group to plan the forward agendas of the Council and its Committees;
- Oversee the preparation of business for Council's consideration;
- Indicate to the Town Clerk the priorities and programmes of the majority party, and their likely reaction to new policies or projects;
- To bring together the majority group's policies and plans, and their reactions to proposals, and represent them forward to the Town Clerk;
- Be the first port of call for the Town Clerk when an issue arises that requires a political response from the Council and the issue does not naturally fall within the terms of reference of one of the four programme committees;
- In discussion with the Leaders of the Minority Parties, propose Council appointments to outside bodies;
- To be the Chairman of Mid Sussex Association of Town Council during the years when Haywards Heath Town Council take responsibility for administration.