



Andover Town Council

Item No.

To **approve** the recommendation from Policy and Resources to re-adopt the NALC model Standing Orders with the amendments detailed in the attached report.

Produced for: Full Council

By: Acting Town Clerk

Date of Report: 1 May 2025

Andover Town Council adopted the 2022 NALC [Model Standing Orders](#) in October 2024 (C 272/10/24).

On 31 March 2025, NALC advised that they had issued updated Model Standing Orders. The regulations were updated to reflect of The Procurement Act 2023 and The Procurement Regulation 2024, which has recently come into force and to better reflect Code of Conduct requirements. NALC have also changed the language in the documents to reflect gender-neutral terms in line with their Civility and Respect project.

The changes are to Model Standing Orders are:

- Model Standing Order 14 – Updated to better reflect Code of Conduct requirements. 14.a-c have been removed.
- Model Standing Order 18.a.v, 18.c, 18.d and 18.f – To meet the new Procurement Legislation and to ensure consistency with NALC’s Model Financial Regulations.
- NALC have also changed the language in the document, so it uses gender-neutral terms. This is in line with NALC policy and the Civility and Respect project.

(red = removed) - (green= added)

	Current Wording	Updated Wording
14 a-d	<p>a Upon notification by the Borough 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 Council.</p> <p>b Where the notification in standing order 14(a) 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 14(d).</p> <p>c The Council may:</p> <p>i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;</p> <p>ii. seek information relevant to the complaint from the person or body with statutory responsibility for</p>	<p>Upon notification by the Principal 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 them. Such action excludes disqualification or suspension from office.</p> <p>14 a-c have been removed.</p>

	<p>investigation of the matter;</p> <p>d Upon notification by the District or 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.</p>	
18 a (V)	whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.	whether contracts with an estimated value below £60,000 due to special circumstances are exempt from a tendering process or procurement exercise.
18 c	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 referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).	No longer in the Model Standing Orders.
18 d	<p>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:</p> <p>a specification for the goods, materials, services or the execution of works shall be drawn up;</p> <p>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;</p> <p>the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;</p> <p>tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;</p> <p>tenders shall be opened by the Proper Officer in the presence of at least one councillor after the</p>	<p>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:</p> <p>a specification for the goods, materials, services or the execution of works shall be drawn up;</p> <p>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;</p> <p>tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;</p> <p>tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;</p> <p>tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.</p>

	<p>deadline for submission of tenders has passed;</p> <p>tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.</p>	<p>the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;</p> <p>has been removed and this is now 18 c.</p>
18 e.	<p>Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.</p>	<p>Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.</p> <p>Now 18 d</p>
18 f	<p>Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.</p>	<p>Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.</p> <p>Now 18 e</p>
4d	<p>Apologies for absence should be received by the Proper Officer at least 2 clear days prior to the meeting unless there are extenuating circumstances. Apologies from the floor can be accepted.</p>	<p>Apologies for absence should be received by the Proper Officer prior to the meeting. Apologies from the floor can be received.</p>
9i	<p>Town Councillors may submit written questions to the Town Clerk (4) four clear days prior to the meeting.</p>	<p>Town Councillors may submit written questions to the Town Clerk 2 clear days prior to the meeting.</p>
8	<p>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.</p>	<p>Where a singular role is being filled (ie Chair, Vice Chair or co-option):</p> <p>8. VOTING ON APPOINTMENTS a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person.</p> <p>A tie in votes may be settled by the casting vote exercisable by the Town Mayor or Chairman of the meeting.</p> <p>(NB an absolute majority is between two candidates where the winning candidate has the majority of votes)</p> <p>Voting will be by show of hands and applicants will remain in the room. The Town Mayor will conduct the vote in alphabetical order.</p>

		<p>At the end of voting the candidate with the lowest number of votes will be eliminated and second round of voting shall take place in alphabetical order.</p> <p>If two candidates tie with the lowest votes, they will both be eliminated and the voting will continue with the remaining candidates.</p> <p>For the Annual Council Meeting in relation to filling the Committee positions:</p> <p>Where more than two persons have been nominated for a position to be filled by the Each Councillor will have a number of votes equal to the number of positions available. The Councillor(s) with the highest number of votes will be appointed.</p> <p>Voting will be led by the Officer clerking the meeting, each Councillor, in alphabetical order will be asked for their votes (which will be depend on the number of positions to be filled). When all votes have been taken the number of positions will be filled with the candidates with the highest number of votes.</p> <p>A tie in votes may be settled by the casting vote exercisable by the chair of the meeting.</p>
3o	<p>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).</p>	<p>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.</p> <p><i>(if there is one) – has been removed.</i></p>
3p	<p>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.</p>	<p>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 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.</p> <p><i>(if there is one) – has been removed.</i></p>
5e	<p>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.</p>	<p>The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair of the Council.</p> <p><i>(if there is one) – has been removed.</i></p>
5g	<p>The Vice-Chair of the Council, if there is one, unless he/she/they 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.</p>	<p>The Vice-Chair of the Council, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.</p> <p><i>(if there is one) – has been removed.</i></p>
5j	<p>Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:</p>	<p>Following the election of the Chair of the Council and Vice-Chair of the Council at the annual meeting, the business shall include:</p>

15b(xv)	refer a planning application received by the Council to the Chair or in his/her/their absence the Vice-Chair (if there is one) of the Council] OR Chair or in his/her/their absence Vice-Chair (if there is one) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council OR Planning committee;	refer a planning application received by the Council to the Chair or in their absence the Vice-Chair of the Council OR Chair or in their absence Vice-Chair of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council OR Planning committee;(if there is one) – has been removed.
19b	Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chair of the HR sub-committee-or, if they are not available, the vice-chair (if there is one) of the HR sub-committee of absence occasioned by illness or other reason and that person shall report such absence to the Policy & Resources committee at its next meeting.	Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chair of the HR sub-committee-or, if they are not available, the vice-chair of the HR sub-committee of absence occasioned by illness or other reason and that person shall report such absence to the Policy & Resources committee at its next meeting. (if there is one) – has been removed.
Front Cover	<p>BASED ON THE MODEL STANDING ORDERS 2018 (ENGLAND) — UPDATED APRIL 2022</p> <p>National Association of Local Councils (NALC), 109 Great Russell Street, London, WC1B 3LD</p> <p>020 7637 1865 nalc@nalc.gov.uk www.nalc.gov.uk</p> <p>© NALC 2022. All rights are reserved.</p> <p>No part of this publication may be reproduced or used for commercial purposes without the written permission of NALC save those councils in membership of NALC have permission to edit and use the model standing orders in this publication for their governance purposes.</p>	<p>BASED ON THE NALC MODEL STANDING ORDERS 2018 (ENGLAND) — UPDATED March 2025</p> <p>Andover Town Council: Full Council approval: date and minute number.</p>
INTRODUCTION	This is version two of Model Standing Orders 2018 (England) updated on April 2022. Update to Model Standing Order 18 only.	This is version is based on the Model Standing Orders 2018 (England) updated on April 2022 and subsequently March 2024 and 2025.
	<p>Throughout the document remove he/she/they and replace with they or their as appropriate</p> <p>Ensure that formatting is consistent (ie brackets removed etc).</p> <p>Ensure that abbreviations are explained in full throughout the document.</p>	