

BLETCHINGLEY PARISH COUNCIL

STANDING ORDERS

Including
Financial Regulations
The Local Authorities (Model Code of Conduct) Order 2007, No 1159
Categories of Confidential Business
Code of Practice on Complaints
Planning Policy
Internal Audit Procedures and Review of Effectiveness

Adopted 14 July 2008

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Standing Orders in bold are Model Standing Orders

STANDING ORDERS

1. MEETINGS

- 1.1. Meetings of the Council shall be held at 7.30 p.m. on the second Monday in each month in the Committee Rooms of the Village Hall, unless the Council decides otherwise at a previous meeting. Usually no meetings will be held in August except for Planning Committee. A summons specifying the business to be transacted and signed by the Proper Officer shall be sent or delivered to the usual residence of each member three clear days before the meeting and posted on the Parish Noticeboard.
- 1.2. **The Statutory Annual Meeting (a) In an election year shall be held on the fourth date after the date of an election or within 14 days following the day on which the councillors elected take office and (b) In a year which is not an election year, shall be held on such a day in May as the Council may direct.**
- 1.3. **Three other statutory meetings shall be held on the second Monday of the month.**
- 1.4. **Seven additional meetings shall be also be held on the second Monday of the month (except in August).**
- 1.5. Smoking is not permitted at any meeting of the Council.
- 1.6. **An Extraordinary Meeting** of the Council may be called at any time by the Chair/Vice Chair. Any 2 members may submit a written request signed by them to the Chair/Vice Chair to call an extraordinary meeting. The notice of the time and place of the extraordinary meeting must be signed by the members requesting the meeting and specify the business proposed to be transacted at the meeting.

2. CHAIRMAN OF MEETING

- 2.1. **The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.**

3. PROPER OFFICER

- 3.1. Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, the officer shall be the Clerk:-
 - 3.1.1. to receive declarations of acceptance of office;
 - 3.1.2. to receive and record notices disclosing prejudicial interests at meetings;
 - 3.1.3. to receive and retain plans and documents;
 - 3.1.4. to sign notices or other documents on behalf of the Council;
 - 3.1.5. to receive copies of byelaws made by the District Council;
 - 3.1.6. to certify copies of byelaws made by the Council;
 - 3.1.7. to sign and issue summonses to attend meetings of the Council;
 - 3.1.8. to keep proper records for all Council meetings.
- 3.2. In any other case the proper officer shall be the person nominated by the Council, and, in default of nomination, the Clerk.

4. QUORUM OF THE COUNCIL

4.1. THREE members (1/3 of the total membership) shall constitute a quorum at meetings of the Council.

4.2. If a quorum is not present when the Council meets or if, during a meeting, the number of councillors present and not debarred by reason of a declared prejudicial interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.

5. VOTING (Including in Committees)

5.1. Members shall vote by show of hands, or, if at least two members so request, by signed ballot.

5.2. If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.

5.3. Subject to b) and c) below, the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote whether or not he gave an original vote.

b) If the person presiding at the Annual Meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office, they may not give an original vote in the election of the Chairman

c) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

6. ORDER OF BUSINESS

(In an election year Councillors should execute Declarations of Acceptance of Office in the presence of a proper officer previously authorised by the Council to take such declaration, before the annual meeting commences.)

6.1. At each Annual Meeting the first business shall be:

6.1.1. To elect a Chairman of the Council

6.1.2. To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received

6.1.3. In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.

6.1.4. To decide when any declarations of acceptance of office which have not been received as provided by law shall be received

6.1.5. To elect a Vice-Chairman of the Council if an applicant is available.

6.1.6. To appoint Committees and representatives.

and shall thereafter follow the order set out in **Standing Order** .

6.2. At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as required by law to be made or, if not then received to decide when they shall be received.

- 6.3. In every other year not later than the meeting at which the estimates for the next year are settled the Council shall review the pay and conditions of service of existing employees
(See Standing Order below)
- 6.4. After the first business has been completed, the order of business, unless the Council decides otherwise on the grounds of urgency, shall be as follows:-
- 6.4.1. To read and consider the Minutes; provided that if a copy had been circulated to each member with the summons to attend the meeting, the Minutes may be taken as read.
- 6.4.2. After consideration to approve the signature of the Minutes by the presiding Chairman as a correct record.**
- 6.4.3. **To deal with business expressly required by statute to be done.**
- 6.4.4. To hold the Public Session together which shall be of up to 15 minutes duration and extended to 30 minutes if deemed necessary by the Chairman.
- 6.4.5. To dispose of business, if any, remaining from the last meeting.
- 6.4.6. To receive such communications as the presiding Chairman may wish to lay before the Council.
- 6.4.7. To answer questions from Councillors.
- 6.4.8. To receive and consider reports from officers of the Council.
- 6.4.9. To receive and consider reports and minutes of Committees.
- 6.4.10. To authorise the signing of orders for payment except as otherwise delegated by the Council.
- 6.4.11. To consider motions or recommendations in the order in which they have been notified
- 6.4.12. Any other business specified in the summons
- 6.5. A motion to vary the order of business on the ground of urgency
- 6.5.1. may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
- 6.5.2. shall be put to the vote without discussion

7. RESOLUTIONS MOVED ON NOTICE

- 7.1. 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 THREE clear days before the next meeting of the Council or its committees.
- 7.2. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 7.3. Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

8. RESOLUTIONS MOVED WITHOUT NOTICE

- 8.1. Resolutions dealing with the following matters may be moved without notice:-
- 8.1.1. To appoint a Chairman of the meeting
 - 8.1.2. To correct the Minutes
 - 8.1.3. To approve the Minutes
 - 8.1.4. To alter the order of business
 - 8.1.5. To proceed to the next business
 - 8.1.6. To close or adjourn the debate
 - 8.1.7. To refer a matter to a Committee
 - 8.1.8. To appoint a committee or any members thereof
 - 8.1.9. To adopt a report
 - 8.1.10. To amend a motion
 - 8.1.11. To give leave to withdraw a motion or an amendment
 - 8.1.12. To extend the time limit for speeches
 - 8.1.13. To exclude the press and public (**See Standing Order below**)
 - 8.1.14. To silence or eject from the meeting a member named for misconduct (**See Standing Order below**)
 - 8.1.15. To invite a member having an interest in the subject under debate to remain (**See Standing Order below**)
 - 8.1.16. To give the consent of the Council where such consent is required by these Standing Orders
 - 8.1.17. To suspend any Standing Order (**See Standing Order below**)
 - 8.1.18. To adjourn the meeting.

9. CORRECTIONS TO MINUTES

- 9.1. No discussion shall take place upon the Minutes except about their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

10. QUESTIONS

- 10.1. A member may ask the Chairman, Vice-Chairman, any Committee Chairman or the Clerk any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed at least 24 hours before the meeting at which the question is to be put.
- 10.2. No question not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- 10.3. Every question shall be put and answered without discussion. A single supplementary question will be allowed following the answer to the first question.
- 10.4. A person to whom a question has been put may decline to answer.

- 10.5. The time allotted for Questions shall not exceed 10 minutes, any questions remaining unaddressed being carried over to the next meeting.

11. RULES OF DEBATE

- 11.1. A resolution or amendment shall not be discussed unless it has been proposed and seconded (except that a resolution proposed by the Chairman shall need no seconder), and unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to them before it is further discussed or put to the meeting.
- 11.2. A member 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.
- 11.3. A member shall direct their speech to the question under discussion or to a personal explanation or to a question of order.
- 11.4. The mover of a motion and subsequent speakers may not speak for more than ten minutes except by consent of the Council.
- 11.5. An amendment shall be either:-
- 11.5.1. to leave out words
 - 11.5.2. to leave out words and insert or add others
 - 11.5.3. to insert or add words
- 11.6. An amendment shall not have the effect of negating
- 11.7. A member, 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 the closure.
- 11.8. A member may speak on a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by them which may have been mis-understood. A member wishing to speak for these purposes shall be heard forthwith.
- 11.9. A motion or amendment may be withdrawn by the proposer with the unanimous 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.
- 11.10. When a resolution is under debate, no other resolution shall be moved except the following:-
- 11.10.1. To amend the resolution
 - 11.10.2. To proceed to the next business
 - 11.10.3. To adjourn the debate
 - 11.10.4. That the question now be put
- 11.11. That a member named be not further heard the resolution before the Council.
- 11.12. 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.

11.12.1. A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

11.12.2. That a member named do leave the meeting

11.12.3. That the resolution be referred to a committee

11.12.4. To exclude the public or the press or both

11.12.5. To adjourn the meeting

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

11.14. Members shall address the Chairman

11.15. If two or more members indicate their desire to speak, the Chairman shall call upon one of them and the others must give way.

12. CLOSURE

12.1. 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".

12.2. If such motion is seconded and if the Chairman is of the opinion that the question before the Council has been sufficiently debated, they shall forthwith put the motion. If the motion "that the question be now put" is carried, the Chairman 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.

13. DISORDERLY CONDUCT

13.1. All members must observe the Code of Conduct which was adopted by the council on 9 July 2007, a copy of which is annexed to these Standing Orders.

13.2. No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute.**

13.3. If, in the opinion of the Chairman, a member has broken the provisions of paragraph (b) of this Order, the Chairman 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.

14. RIGHT OF REPLY

14.1. The mover of a resolution shall have a right of 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 new matter. After the right of reply has been exercised or waived a vote shall be taken without further discussion.

15. ALTERATION OF RESOLUTION

15.1. A member may, with the consent of the seconder, move amendments to their own resolution.

16. VOTING ON APPOINTMENTS

- 16.1. Where more than two persons have been nominated to 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.

17. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

- 17.1. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded (**See Standing Order**)

18. EXPENDITURE

- 18.1. Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.**

19. COMMITTEES AND SUB COMMITTEES

- 19.1. The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:-
- 19.1.1. shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
 - 19.1.2. May appoint persons other than members of the Council to any Committee and;
 - 19.1.3. May at any time dissolve or alter the membership of the committee.
- 19.2. The Planning Committee shall be a Standing Committee of the Parish Council and shall consist of any 4 of the existing Council members and usually meet on the last Monday of every month.
- 19.3. The Planning Committee shall be authorised to make any regular payments falling due in the August period (in the absence of a full Council meeting).
- 19.4. The Council or any Standing Committee may appoint such Sub-Committees or Working Parties as they deem fit for purposes to be specified by the Council or Standing Committee.
- 19.5. The Chairman and Vice-Chairman of the Council shall be ex-officio members of every Committee with full voting powers.
- 19.6. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle on its programme of meetings for the year.
- 19.7. The Chairman of a committee or the Chairman 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 members 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.
- 19.8. The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

- 19.9. 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 sub-committee shall be one-half of its members.

20. SPECIAL MEETING

- 20.1. The Chairman of a committee or the Chairman 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 not less than a quarter of the members 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.

21. DELEGATED POWERS

- 21.1. The following powers shall be reserved to the Council in addition to which the Council shall hold all powers granted to committees:
- 21.1.1. Power of fixing the Parish Precept and borrowing or lending of money
 - 21.1.2. Determining the Council's annual budget and approval of expenditure outside the approved estimates
 - 21.1.3. New policy or changes to existing policy subject to recommendations from any Standing Committee, Sub-Committee or Working Part that considered the matter
 - 21.1.4. Determining the Council's Standing Orders
 - 21.1.5. Promotion and making of local byelaws
 - 21.1.6. Any matters requiring statutory approval by the Council
- 21.2. The Council delegates full executive powers as follows:
- 21.2.1. the day to day management of facilities shall be the responsibility of the Clerk
 - 21.2.2. executive powers are delegated to the Clerk to the Council following consultation with the Chairman or Vice Chairman of the Council or Committee, as appropriate, for matters which require a decision before the next ordinary meeting.
- 21.3. The Council delegates the following powers to the Planning Committee in order that it may carry out the declared policies of the Council and to make recommendations on new policies or changes to existing policies relating to the Council's powers and duties for the following functions:-
- 21.3.1. Development Control:
 - i. To consider development plans in Bletchingley submitted by the District Council and make its views known to the District Council;
 - ii. To consider policy on planning issues and to advise the Council accordingly
 - 21.3.2. Planning:
 - i. To prepare initial responses to Structure Plan and Local Area Plan provisions
 - ii. To consider environmental issues and act appropriately.
 - 21.3.3. Correspondence

- i. To receive and act upon correspondence received by the Council in relation to Planning matters.

22. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

- 22.1. A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

23. FINANCIAL REGULATIONS

- 23.1. Except as otherwise provided for in these Standing Orders or by statute, all accounts for payment or claims upon the Council shall be laid before the Council.
- 23.2. Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the proper officer for payment with the approval of the Chairman or Vice-Chairman of the Council and shall be separately included in the next schedule of payments before the Council.
- 23.3. The Clerk to the Council, as Responsible Financial Officer, shall be responsible for the proper administration of the Council's financial affairs (See **Appendix A – Financial Regulations**). The Financial Regulations shall be kept under review and may only be varied or amended by resolution of the Council.
- 23.4. The Clerk shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the complete financial year.

24. ESTIMATES & BUDGET

- 24.1. The Council shall approve written estimates for the coming financial year at its meeting before the end of the month of March.
- 24.2. Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than November for inclusion in budget making.

25. INTERESTS

- 25.1. **All members including co-opted and appointed members will be bound by the Model Code of Conduct for Parish and Town Councils (Order 2007 No. 1159 – adopted by the Parish Council on 9 July 2007 (See Appendix B - Model Code of Conduct))**
- 25.2. **Members must keep their entry in the Register of Interests up-to-date, notifying any changes within 28 days.**
- 25.3. **The Clerk to the Council shall keep a record of any interests declared.**

26. INSPECTION OF DOCUMENTS

- 26.1. A member may for the purpose of their duty as such, (but not otherwise) inspect any document in the possession of the Council, and if copies are available shall, on request, be supplied for that purpose with a copy.
- 26.2. **All Minutes kept by the Council or by any Committee shall be open for inspection by any member of the Council.**
- 26.3. Except as provided for by statute, no original document essential to the proper functioning of the Council (such as account books) shall be removed from the custody of the Council for the purposes of inspection.

27. UNAUTHORISED ACTIVITIES

- 27.1. No member of the Council or of any committee shall in the name of or on behalf of the Council
- 27.2. Inspect any lands or premises which the Council has a right or duty to inspect;
- 27.3. or Issue orders, instructions or directions;
- 27.4. or purport to act and or speak on behalf of the council
- 27.5. unless authorised to do so by the Council or the relevant committee.

28. ADMISSION OF PUBLIC & PRESS TO MEETINGS**28.1. The public and press shall be admitted to all meetings of the Council and its Committees which may, however, temporarily exclude the public by means of the following resolution:**

"That in view of the [special/confidential¹] nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw. [State special reasons²]"

*(Note 1. The special or confidential nature, as set out in **Appendix C** of these Standing Orders, should be stated.*

Note 2. If a person's advice or assistance is needed they may be invited [by name] to remain after the exclusion resolution is passed.)

- 28.2. The Clerk shall afford the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 28.3. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he/she be removed from the meeting.
- 28.4. A member of the public may, by invitation of the Chairman, address the meeting.

29. CONFIDENTIAL BUSINESS

- 29.1. No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or sub-committee as the case may be.
- 29.2. Any member in breach of the provisions of paragraph (1) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

30. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

- 30.1. A notice of meeting shall be sent together with an invitation to attend to the County and District Councillors for the Parish.
- 30.2. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County or District Councillor(s) for the Parish as the case may require.

31. PLANNING APPLICATIONS

- 31.1. All planning applications are sent direct to Howard Cundey Estate Agents in Bletchingley where they will be viewed by the Chairman of the Planning Committee or any member of the Planning Committee.

- 31.2. The Clerk will forward all weekly lists received from the District Council direct to the Chairman of the Planning Committee.
- 31.3. A list of all planning applications to be discussed will be made available at each full council and planning committee meeting.
- 31.4. To review the planning guidance policy at least once in the lifetime of each Council.
(See Appendix E – Planning Guidance)

32. STANDING ORDERS ON CONTRACTS

- 32.1. All contracts will be entered into according to the rules set down in the Council's Financial Regulations. These Regulations also specify the tendering process for higher value contracts.
- 32.2. Authority to enter into a contract for the purpose of conducting emergency repairs is delegated to the Clerk, or to the Clerk in consultation with the Chairman or Vice-Chairman of the Parish Council, for sums as stated in the Financial Regulations. **(See Appendix A – Financial Regulations)**

33. POLICY FOR DONATIONS/GRANTS

- 33.1. The objective is to make donations/grants which specifically are of benefit to the Parish. For example, activities that contribute to the welfare of the community, improve the environment, support local facilities.
- 33.2. All applications will be considered and prioritised.
- 33.3. Where possible, applications should include appropriate financial information and the cost of the project.
- 33.4. Bletchingley Parish Council would not normally support:-
 - 33.4.1. political organisations and activities of a commercial nature
 - 33.4.2. bodies which may be considered to be self funding
 - 33.4.3. organisations where funding is provided by other government authorities.

34. CODE OF CONDUCT OF COMPLAINTS

- 34.1. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended in the Complaints Procedure – Code of Practice adopted on 17 July 2006. **(See Appendix D – Complaints Procedure)**

35. VARIATION, REVOCATION & SUSPENSION OF STANDING ORDERS

- 35.1. Any or every part of the Standing Orders except those in **bold type** may be suspended by resolution in relation to any specific item of business.
- 35.2. 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.

[NB – It should be pointed out that any inconsistency with the Local Government Act 1972 and subsequent enactments is not intended and that if some inconsistency should arise the conditions of the Local Government Act 1972 and subsequent enactments must apply.]

36. COUNCILLOR RESIGNATION

- 36.1. A Councillor may resign office by written notice delivered to the Chairman. A Casual Vacancy shall be filled in accordance with legislation. A person elected or appointed to fill a casual vacancy shall hold office for the remaining term for which the person being replaced was elected.

37. STANDING ORDERS TO BE GIVEN TO MEMBERS

- 37.1. A copy of these Standing Orders shall be given to each member by the Clerk prior to the Member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.