

THATCHAM TOWN COUNCIL STANDING ORDERS

Rules of the Town Council

Original adopted by Thatcham Town Council on 16th May 2016
Amended 24th September 2018
Amended 26th November 2018

What are Standing Orders?

Standing Orders are the written rules of a local council. They are used to confirm a council's internal organisational, administrative and procurement procedures and procedural matters for meetings. They are not the same as the policies of a council but they may refer to them. A local council must have Standing Orders for the procurement of contracts.

Meetings of full council, councillors, the Responsible Financial Officer and Proper Officer are subject to many statutory requirements. A council should have Standing Orders to confirm those statutory requirements. A council should have Standing Orders to control the number, place, quorum, notices and other procedures for committee and sub-committee meetings because these are subject to fewer statutory requirements. If it does not, committees and sub-committees may adopt their own Standing Orders.

The Standing Orders that are *in italics* contain statutory requirements. Standing Orders that are not in *italics* are designed to help councils operate effectively but do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs

The Standing Orders do not include the Financial Regulations. Financial Regulations are Standing Orders to regulate and control the financial affairs and accounting procedures of a local council. The Financial Regulations, as opposed to the Standing Orders of a council, include most of the requirements relevant to the Responsible Financial Officer.

Definitions and Meanings

- a) Christmas Break means Christmas day, Boxing Day and any bank holiday in substitution for such a day
- b) Easter break means Good Friday, Easter Saturday and Easter Monday.
- c) Committee shall include sub-committee.
- d) Chairman shall include Vice Chairman.
- e) Mayor shall include Deputy Mayor.
- f) He includes she
- g) Clerk includes Town Clerk
- h) Deputy Clerk includes Deputy Town Clerk

Contents

1	MEETINGS	
1.1	Premises	3
1.2	Notice	3
1.3	Press and Public	3
	<i>Exclusion</i>	
	<i>Members of the Public Wishing to speak</i>	
	<i>Audio Visual Recordings</i>	
1.4	Confidentiality	3 & 4
1.5	Time	4
1.6	Annual meeting	4
	<i>Timing</i>	
	<i>Mayor and Deputy Mayor</i>	
	<i>Order of Business</i>	
1.7	Ordinary Meetings: Full Council, Committees and Sub-Committees	5
	<i>Timing of meetings</i>	5
	<i>Order of business</i>	5
	<i>Quorum</i>	6
	<i>Minutes</i>	6
	<i>Rules of Debate</i>	6 & 7
	<i>Protocol</i>	8
	<i>Motions moved on Notice</i>	8
	<i>Motions at meetings that do not require written notice</i>	9
	<i>Rescinding a previous Resolution</i>	9
	<i>Voting</i>	9
	<i>Named vote</i>	9
	<i>Disorderly Conduct</i>	10
1.8	Extraordinary Meeting	10
1.9	Presentation of Committee Minutes to Full Council	10 & 11
1.10	Annual Town Assembly	11 & 12
2	COMMITTEES AND SUB-COMMITTEES	
2.1	Membership	12
2.2	Voting	13
2.3	Presence of non-Members of Committees	14
2.4	Substitutes	14
3	ROLES	
3.1	Town Mayor	15
3.2	Chairmen of Committees	15
3.3	Leader and Deputy Leader	15
3.4	Proper Officer	15 & 16
3.5	Responsible Financial Officer	16
3.6	Delegated Authority to Town Clerk	17

4	MEMBERS	
4.1	Code of Conduct	18
4.2	Interests	18
4.3	Candidates for appointment	18
4.4	Lobbying	18
4.5	Dispensations	19
4.6	Inspection of Land and Premises	19
4.7	Inspection of documents	19
4.8	Defamation	20
4.9	Council Identity Cards	20
5	FINANCIAL MATTERS	
5.1	Accounts and Accounting Statements	21
5.2	Financial Controls and Procurement	21
6	STAFFING MATTERS	
6.1	Handling Staff Matters	22
6.2	Staff Absences	22
6.3	Annual Appraisals	22
7	GENERAL	
7.1	Requests for Information	23
7.2	Execution of Legal Documents	23
7.3	Standing Orders Generally	23
	APPENDIX 1	
	Recording and Reporting – Guidance to members of the public	24 & 25

1. Meetings

1.1 Premises

Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.

1.2 Notice

The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break, a bank holiday or a day appointed for public thanksgiving or mourning.

1.3 Press and Public

1.3.1 Exclusion

1.3.1.1 *Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons.*

1.3.1.2 The following motion may be used to temporarily exclude the press and public: "That in view of the (special) (confidential) 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"

1.3.2 Members of the Public Wishing to speak The Council or a Committee or Sub-Committee may at any

1.3.2.1 The Council or Committee or Sub-Committee may at any meeting suspend Standing Orders to allow a member of the public to speak on any item on the agenda.

1.3.2.2 At Full Council, a period of up to fifteen minutes will be set aside for public questions. A questioner may be allowed up to three minutes and any response may be at the Mayor's discretion.

1.3.3 Audio Visual Recordings

1.3.3.1 Audio and visual recordings of a meeting of the Council and its Committees by the general public, or the media, are permitted. Guidance to members of the public are given in Appendix 1.

1.3.3.2 If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that the member be removed from the Council Chamber or that the part of the Chamber open to the public be cleared.

1.4 Confidentiality

1.4.1 No Member of the Council or of any Committee or Sub-Committee of the Council, shall disclose to any person not a Member of the Council any matter, fact, statement or details of any report declared to be confidential by the Council, the Committee or the Sub-Committee as the case may be.

- 1.4.2 The agenda, papers that support any items on the agenda and the minutes of a meeting shall not disclose any confidential or sensitive information.
- 1.4.3 Councillors and staff shall not disclose confidential or sensitive information to any person apart from Officers and Members of the Council or Advisers to the Council.

1.5 Time

Meetings of the Council shall be held at the Council Office at 7pm unless the Council otherwise decides at a previous meeting or by direction of the Mayor or Chairman of the meeting.

1.6 Annual Meeting of the Town Council

1.6.1 Timing

1.6.1.1 *In a year which is a year of ordinary elections of Town Councillors, the Annual Meeting of the Town Council shall be held on or within fourteen days after the day on which the Councillors elected at that election take office and in any other year the Annual Meeting shall be held on such day in May as the Town Council may determine.*

1.6.1.2 *If no other time is fixed, the annual meeting of the council shall take place at 6pm.*

1.6.2 Mayor and Deputy Mayor

1.6.2.1 *The Mayor, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council.*

1.6.2.2 *The Deputy Mayor, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the council.*

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

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

1.6.3 Order of business

At each Annual Meeting the order of business shall be:

- (a) *To elect a Town Mayor*
- (b) *To receive the Mayor's declaration of acceptance of office, or if not then received, to decide when it shall be received*
- (c) *To appoint a Deputy Mayor*
- (d) *To receive the Deputy Mayor's declaration of acceptance of office, or if not then received, to decide when it shall be received*
- (e) *To appoint a Leader of the Council*
- (f) *To appoint a Deputy Leader of the Council*
- (g) *To appoint Standing Committees*

- (h) To appoint Council representatives on outside bodies.
- (i) To approve a calendar of meetings for the ensuing municipal year

1.7 Ordinary Meetings: Full Council, Committees and Sub-Committees

1.7.1 Timing of meetings

1.7.1.1

In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.

1.7.1.2

Additional meetings shall be held, the timing and frequency of which shall be determined by the Council.

The Council or the Mayor in consultation with the Town Clerk may make any adjustment to the date, time or place of a meeting considered necessary or desirable in the interests of the Council.

1.7.2 Order of business

1.7.2.1

At every meeting other than the Annual Meeting the first business shall be the appointment of a Chairman if the Town Mayor and Deputy Mayor be absent.

1.7.2.2

After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:-

- (a) To read and consider the Minutes: provided that if a copy has been circulated to each Member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
- (b) *After consideration to approve the signature of the Minutes by the presiding Chairman as a correct record.*
- (c) *To deal with business expressly required by statute to be done.*
- (d) To receive the Town Mayor's report and Deputy Mayor's report
- (e) To dispose of business, if any, remaining from the last meeting.
- (f) To receive and consider reports and Minutes of Committees.
- (g) To receive and consider reports from Officers of the Council.
- (h) To authorise the sealing of documents.
- (i) To consider motions in the order in which they have been notified.
- (j) Other items as specified on the summons.
- (k) Except as provided in 1.7.8 (Motions at meetings that do not require written notice) determination of the business specified on the notice, summons or agenda shall terminate the meeting. Subject to the provision of paragraphs 10(2) and (3) of the LGA 1972, Schedule 12, matters requiring consideration where a statutory time limitation prevents deferment to the next ordinary meeting of the Council, a Committee or Sub-Committee shall be excepted.

NB: All reports should be in writing and should be circulated with the agenda.

- 1.7.2.3 A motion to vary the order of business on the grounds of urgency:
- (a) may be proposed by the Mayor or Chairman or by any Member and, if proposed by the Mayor or Chairman, may be put to the vote without being seconded, and
 - (b) shall be put to the vote without discussion
- 1.7.3 Quorum**
- 1.7.3.1 *No business shall be transacted at a meeting of the Council unless three or one third, whichever is the greater, of the whole number of Members are present.*
- 1.7.3.2 If a quorum is not present when the Council meets or if during a meeting the numbers of Councillors present 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 Mayor or Chairman may fix.
- 1.7.4 Minutes**
- 1.7.4.1 No discussion shall take place upon the Minutes except upon their accuracy and any question of the accuracy shall be raised by motion. If no such question is raised, or if it is raised, then as soon as it is disposed of the Mayor or Chairman shall sign the Minutes.
- 1.7.4.2 Corrections of the Minutes shall only be made by resolution.
- 1.7.4.3 *Minutes of proceedings of a Council and its Committees must be kept. They are intended to be formal records of official acts and decisions, not reports, still less verbatim reports of speeches made by Members. They should be as short as is consistent with clarity and accuracy and the arguments used in discussions need only be recorded if the decision cannot be clearly expressed in any way.*
- 1.7.4.4 *All Minutes kept by the Council and by any Committee shall be open for the inspection of any member of the Council and any elector of the Parish during reasonable hours of the day subject to any Committee minutes previously having been adopted by the Council.*
- 1.7.5 Rules of Debate**
- 1.7.5.1 A motion or amendment shall not be discussed unless it has been proposed and seconded and proper notice has already been given, except as provided in S.O. No 1.7.7 with regard to proper notice. A motion or amendment will be deemed to have failed on that occasion if it is not seconded.
- 1.7.5.2 A member when seconding a motion or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- 1.7.5.3 An amendment shall be either:
 - To leave out words
 - To leave out words and insert or add others
 - To insert or add words
- 1.7.5.4 A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- 1.7.5.5 No speech shall exceed three minutes except by consent of the Mayor or Chairman.
- 1.7.5.6 An amendment shall not have the effect of negating the motion before the Council.

- 1.7.5.7 An amendment shall be put to the vote first. If it is carried, the motion as amended shall take the place of the original motion, and shall become the motion upon which any further amendment may be moved. If it is rejected, other amendments may be moved on the original motion.
- 1.7.5.8 No further amendment shall be moved until the Council has disposed of the amendment previously moved.
- 1.7.5.9 The mover of a motion shall have a right to reply immediately before the motion 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.
- 1.7.5.10 A Member, other than the mover of a motion, shall not speak more than once on any motion except to move an amendment or on an amendment or to move the closure.
- 1.7.5.11 A Member may rise to make a point of order relating to an alleged breach of Standing Orders or Statutory Provision which shall be specified by the member or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A Member rising for these purposes shall be heard forthwith.
- 1.7.5.12 A motion or amendment may be withdrawn by the proposer subject to the agreement of the seconder, if it has been seconded and no member may speak upon it after its withdrawal.
- 1.7.5.13 A Member may, with the consent of his seconder, move amendments to his own motion.
- 1.7.5.14 When a motion is under debate no other motion shall be moved except for the following:
- i) To amend the motion
 - ii) To proceed to the next business
 - iii) To adjourn the debate
 - iv) That the question be now put
 - v) That a Member named be not further heard
 - vi) That a Member named do leave the meeting
 - vii) That the motion be referred to a Committee
 - viii) To exclude the public or the press or both
 - ix) To adjourn the meeting
- 1.7.5.15 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 and if the Mayor is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he shall forthwith put the motion. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his 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.

**1.7.6 Protocol
Full Council**

1.7.6.1 At Full Council, a Member shall stand when speaking unless permitted by the Town Mayor to sit.

1.7.6.2 Whenever the Town Mayor rises during a debate all other Members shall be seated and become silent.

1.7.6.3 If two or more Members rise, the Town Mayor shall call upon one of them to speak and the others shall resume their seats.

All Meetings

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

1.7.6.5 Members shall address the Town Mayor or Chairman.

1.7.6.6 Members will be expected to dress in a manner which befits the dignity of their office when attending meetings of the Council and its Committees. The Mayor may wear the Mayor's robe at his discretion.

1.7.7 Motions moved on Notice

1.7.7.1 A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.

1.7.7.2 Except as provided by these Standing Orders, no motion may be moved unless the mover has given notice in the required format of its terms and has delivered the notice to the Town Clerk at least seven clear days before the next meeting of the Council.

1.7.7.3 The Town Clerk shall date every notice of motion when received by him, shall number each notice in the order in which it was received and shall enter in a book which shall be open to the inspection of every Member of the Council.

(a) The Town Clerk shall insert in the summons or agenda for every meeting all notices of motions properly given in the order in which they have been received unless the Member giving such a notice has stated in writing that he intends to move his motion at some later meeting or that he withdraws it.

(b) The Town Clerk may, after consultation with the member (if possible) who submitted the motion, amend its wording for clarification or if the motion is framed in improper or unbecoming language, the Mayor, or Chairman in consultation with the Town Clerk and, if possible, the member concerned, direct an amendment or that it be not included on the Summons.

1.7.7.4 If a motion specified in the summons or agenda be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

1.7.7.5 If the subject matter of a motion which is not a policy matter and 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.

1.7.7.6 Every motion shall be relevant to some matter over which the Council has power or which affects the Parish.

1.7.8 Motions at meetings that do not require written notice

Motions dealing with the following matters may be put without notice:-

- (1) To elect a Chairman of the Meeting.
- (2) To correct the Minutes.
- (3) To approve the Minutes.
- (4) To alter the order of business.
- (5) To proceed to the next business.
- (6) To close or adjourn the debate.
- (7) To refer a matter to a Committee.
- (8) To appoint a Committee or any Members thereof.
- (9) To adopt a report.
- (10) To amend a motion.
- (11) To give leave to withdraw a motion or an amendment.
- (12) To extend the time limit for speeches.
- (13) To suspend Standing Orders
- (14) To exclude the public.
- (15) To silence or eject from the meeting a Member named for misconduct (see S.O. 1.7.12.2)
- (16) To give the consent of the Council where such consent is required by these Standing Orders.
- (17) To adjourn the meeting.

1.7.9 Rescinding a of previous Resolution

1.7.9.1 No motion to rescind any resolution passed within the preceding six months and no motion or amendment to the same effect as one which has been negated within the preceding six months, shall be proposed unless the notice thereof given in pursuance of S.O.1.7.7.2 bears the names of at least two thirds of the whole number of Members of the Council.

1.7.9.2 When any such motion has been disposed of by the Council, it shall not be open to any Member to propose a similar motion within a further period of six months. This order shall not apply to motions moved in pursuance of the report of recommendations of a Committee.

1.7.10 Voting

1.7.10.1 *Members of the Council vote by show of hands.*

1.7.10.2 *Subject to 1.7.10.3 and 1.7.10.4 below the Mayor or Chairman may give an original vote on any matter put to vote.*

1.7.10.3 *Subject to 1.7.10.4 below the Mayor or Chairman may not give an original vote in the election of the Mayor or Chairman on any occasion when he himself immediately after such election retires from the Council.*

1.7.10.4 *In any case of equality of votes, the Mayor or Chairman may give a casting vote.*

1.7.11 Named Vote

At the request, made before the vote is taken, of any Member of Council the Town Clerk shall record the votes so as to show whether each Member present and voting gave the vote for or against the question and also which Members present did not vote.

1.7.12

Disorderly Conduct

1.7.12.1

No Member shall misconduct himself at a meeting by persistently disregarding the ruling of the Mayor, or Chairman, by vexatiously obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to bring the Council into contempt or ridicule.

1.7.12.2

If, in the opinion of the Mayor or Chairman, a Member has so misconducted himself, 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.

1.7.12.3

If either of the resolutions mentioned in paragraphs 1.7.12.2 is disobeyed the Mayor or Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce the said resolutions.

1.8

Extraordinary Meetings

The Mayor or Chairman, or in his absence the Deputy Mayor or Vice Chairman, may convene an extraordinary meeting of the Council or Committee at any time. Any two members of the Council may sign a requisition that an extraordinary meeting of the Council or Committee be convened. If the Mayor or Chairman or Deputy Mayor or Vice Chairman refuses or neglects to do so for seven days after serving such requisition, any two members of the Council or Committee may convene the meeting. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting, subject to the legal requirements giving notice.

1.9

Presentation of Committee Minutes to Full Council

1.9.1

Submission - The Chairman of each Committee or other member shall formally move the adoption, approval or confirmation (as appropriate) of the Minutes of the Committee and the Motion shall be formally seconded. A period of time for member's questions shall be allowed.

1.9.2

Deemed Adoption - On being moved and seconded the Minutes shall be voted upon.

1.9.3

Questions and Opposition - During the presentation of Minutes a member may in respect of any item:

(a) ask a question under Standing Order 1.9.8.1

(b) in the case of a resolved item, register a formal objection under Standing Order 1.9.4.

(c) in the case of a recommended item, register a formal objection and propose a course of action under Standing Order 1.9.5.

1.9.4

Objection to Resolved Items - A member registering a formal objection to a resolved item may speak for not more than three minutes but cannot propose a motion. The Chairman of the Committee (or other member who moved the Minutes) may reply but no other member may speak.

1.9.5

Objection to Recommended Items - A member registering a formal objection to a recommended item may speak for not more than three minutes and may in addition move an amendment which shall be as follows:

- (a) that the recommendation be rejected and that Council adopts the course of action moved by him; or
- (b) that the recommendation be referred back to the Committee for reconsideration; or
- (c) to leave out words; or
- (d) to leave out words and insert or add others; or
- (e) to insert or add words but an amendment shall not have the effect of introducing a new subject matter.

1.9.6 **Secunder** - If a motion is moved under Standing Order 1.9.5, the Chairman shall call for a Secunder to the motion who may then speak or may formally second the motion and reserve his speech until a later period in the debate.

1.9.7 **Debate** - After a motion has been seconded the Chairman shall call for other members to speak and at the close of debate the following shall have the right of speech or reply in the following order:

- (i) the seconder if he has not previously spoken,
- (ii) the objector who moved the motion
- (iii) the Chairman or other member submitting the Minutes of the Committee or their nominee who shall deal with any questions raised during the debate.

In all other respects the rules of debate set out in Standing Order 1.7.5 shall apply.

1.9.8 **Questions**
 Except at the Annual Meeting, a Member may ask the Mayor or Chairman any question concerning the business of the Council, provided the question is submitted to the Town Clerk, in writing, not less than 3 clear days before the date of the meeting, or in a case of urgency, not later than 10 a.m. on the day of the meeting.

1.9.8.1 A Member may, with or without notice, ask the Chairman of the Committee any question upon the proceedings of the Committee then before the Council if the question is put before the Council's consideration of those proceedings is finished.

1.9.8.2 Every question shall be put and answered without discussion.

1.9.8.3 A person to whom a question has been put may decline to answer or nominate another person to answer or refer to a relevant document or provide a written reply where a reply cannot conveniently be given orally.

1.10 **Annual Town Assembly**

1.10.1 *An assembly of the Town must be held between 1st March and 1st June every year. Proceedings at meetings shall not begin before 6pm.*

1.10.2 The Mayor of the Town Council shall preside. If the Mayor is absent, the Deputy Mayor shall preside. If the Mayor and Deputy Mayor are absent the meeting shall appoint a Chairman before it proceeds to any other business.

1.10.3 The Town Clerk shall record the proceedings of Parish Meetings. If the Town Clerk is absent, the person presiding at the meeting may record the proceedings or may appoint another to do so.

1.10.4 As soon as the Chair has been filled and provision made for recording the proceedings, the Minutes of the previous meeting shall be read, considered and, if correct, signed by the person presiding at the meeting.

- 1.10.5 After the Minutes have been signed, the order of business at the Annual Assembly shall be as follows:
- To receive the Annual Report of the Town Council and/or of its Chairmen of Committees.
 - To receive the Council's observations on its finances for the current year
 - To receive any Annual Reports from representatives on outside bodies and school governors serving the town.
 - To consider resolutions of which written notice has been given.

2. Committees and Sub-Committees

2.1 Membership

- 2.1.1 The Council may at the Annual Meeting appoint standing Committees, that is permanent Committees to deal with a specific subject, and may at any other time appoint such other Committees as are necessary, but subject to any statutory provision in that regard:
- (a) shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting, and
 - (b) may at any time dissolve or alter the membership of a Committee, and
 - (c) if a Member of a Committee is absent from three consecutive ordinary meetings of a Committee of which he is a member, that Committee may consider action under paragraph (b) of this order.
- 2.1.2 The Mayor and Deputy Mayor shall sit as members on the Emergency Committee (but this will not prevent them being appointed to any other committee or other body of the Council).
- 2.1.3 No person who is not a member of the Council shall be elected as Chairman or Vice Chairman of any standing Committee or Sub Committee.
- 2.1.4 Every Committee may appoint Sub-Committees for purposes to be specified by the Committee
- 2.1.5 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.
- 2.1.6 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 Sub-Committee, the quorum of a Committee or Sub-Committee shall not be less than three or one third of its qualified members, whichever is the greater.
- 2.1.7 The Standing Orders for Council meetings (except those parts relating to standing and to speaking more than once) shall apply to Committee and Sub-Committee meetings insofar as they are appropriate.
- 2.1.8 A Committee, during the course of a financial year, shall be limited to an expenditure of not more than an amount to be reviewed annually without reference to the Finance and General Purposes Committee, expenditure provided for in estimates approved by the Council excepted.

2.2

Voting

2.2.1

Members of Committees and Sub-Committees shall vote by show of hands.

2.2.2

Chairmen of Committees and Sub-Committees shall, in the event of an equality of votes, have a second or casting vote.

2.3

Presence of non-Members of Committees

2.3.1

A Member who has proposed a motion which has been referred to any Committee of which he is not a member, shall be entitled to explain his motion to the Committee but shall not vote.

2.3.2

Any Council member shall be entitled to be present at any meetings of any Committee or Sub-Committee of which he is not a member. Any Member so attending shall not speak or take part in the proceedings except as provided in Standing Order 2.4.1 or as may be agreed by the Chairman of the Committee or Sub-Committee.

2.4

Substitutes

2.4.1

A substitute system operates within the Town Council in respect of Committees.

2.4.2

Any Member of the Council who is not a-member of one of the Committees may act as a substitute for a member of that committee at a meeting of that committee if and as requested to do so by that Member who will be absent from that Committee meeting:

(a) Any Councillor who is unable to attend a meeting should telephone or e-mail the Office and give his name. This will then be added to the attendance register. This must be done before 5pm on the day of the meeting.

(b) At that time, the Councillor should advise the Office who he has nominated as a substitute. The name of the substitute Councillor will be added to the attendance register together with the name of the Councillor for whom he is a substitute.

(c) At the meeting, when apologies are being presented, the Councillor who is substituting will announce that he is a substitute and the name of the Councillor for whom he is a substitute.

3. Roles

3.1 Town Mayor

3.1.1 The main duty of the Mayor (or in his absence, the Deputy Mayor) is to preside over principal meetings of Council.

3.1.2 *The Mayor has a vote and if there is equality of votes, has a casting vote.*

3.1.3 The Mayor, or in his absence the Deputy Mayor, may call an extraordinary meeting of Council (subject to proper procedures set out in Schedule 12 of the Local Government Act) in accordance with Standing Order 1.8.

3.2 Chairmen of Committees

3.2.1 *The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting. Standing Order 1.7 refers*

3.2.2 *The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final on receipt of the advice of the Town Clerk.*

3.3 Leader and Deputy Leader

3.3.1 The appointment of a Leader of the Council and Deputy Leader would be made to:

- a. Provide political leadership to the Council
- b. To act as a liaison between the Town Clerk in indicating priorities and programmes for inclusion in Council business.
- c. To be responsible for working with other Councillors as appropriate to outline the Council Strategy
- d. To be the first point of contact for the Town Clerk when a political or policy response is needed.

3.3.2 The Leader of the Council has no legal powers and as such cannot enter into any negotiations on behalf of the Council without instruction to do so by resolution. No member of staff is accountable to any one individual Councillor as they hold no authority. This process is managed by delegation to the appropriate Committee or Sub-Committee with the exception of the Town Clerk who is accountable to the Full Council

3.4. Proper Officer

3.4.1 Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, he shall be either the Town Clerk or other staff member nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

3.4.2 Additional duties of the Proper Officer are set out in the job description.

(a) *The Proper Officer shall at least three clear days before a meeting of the council, a committee or a sub-committee serve on Councillors, by delivery, post at their residences, or by e-mail, a signed summons confirming the date, time, and place of the meeting and the agenda*

(b) *The Proper Officer shall give public notice of the date, time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with the agenda of an extraordinary meeting of the council convened by Councillors is signed by them);*

- (c) subject to Standing Order 1.7.7.2, include on the agenda all motions in the order received unless a councillor has given written notice at least **2** days before the meeting confirming his withdrawal of it;
- (d) *Convene a meeting of full council for the election of a new Mayor or occasioned by a casual vacancy;*
- (e) Facilitate inspection of the minute book by local government electors;
- (f) Receive and retain copies of byelaws made by other local authorities;
- (g) Retain acceptance of office forms from councillors;
- (h) Retain a copy of a register of interests for all councillors;
- (i) Assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
- (j) Receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- (k) Manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form, ensuring compliance with Data Protection legislation.
- (l) Arrange for legal deeds to be executed;
- (m) Arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- (n) Record every planning application notified to the council and the council's response to the local planning authority
- (o) Refer a planning application received by the council to the Planning Committee
- (p) Manage access to information about the council via the publication scheme;
- (q) Retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.
- (r) Ensure compliance with Health and Safety legislation

3.5

Responsible Financial Officer (RFO)

The Council shall appoint a Responsible Financial Officer. Duties shall include those set out in Standing Order 5 and additional duties will be as set in the RFO's job description and Council's Financial Regulations.

The Council shall appoint an appropriate staff member to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

3.6

Delegated Authority to the Town Clerk

3.6.1

In any matter, except as provided in Standing Order 1.7.2.2 (k), where this Council has power to act and a decision is required which cannot, because of time restraints, be deferred to the next available Council or Committee meeting then such decision shall be made under delegated powers by the Town Clerk after consultation with the Mayor, a Committee Chairman or at least one council member.

3.6.2

The authority hereby delegated to the Town Clerk shall be so far as is consistent with the requirements of any job description, instruction of the Council or its Committees to enable him to properly carry out such tasks as are necessary to ensure the efficient day to day management of the Council's affairs.

4. Members

4.1 Code of Conduct

All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.

4.2 Interests

4.2.1 *If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 30th July 2012 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.*

4.2.2 *If a member who has declared a personal interest then considers the interest to be a disclosable pecuniary interest, he must withdraw from the room or chamber during consideration of the item to which the interest relates.*

4.2.3 Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

4.2.4 Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest

4.2.5 *The Town Clerk shall record particulars of any notice given by any member of an interest in a contract.*

4.3 Candidates for appointment

4.3.1 If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he shall disclose his relationship in writing to the Town Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. Every Member and Officer of the Council shall disclose to the Council any relationship known to him to exist between himself and a candidate for an appointment.

4.3.2 The Town Clerk shall report to the Council or to the appropriate Committee any such disclosure. Where relationship to a member of the Council is disclosed, the Standing Orders on interests of Members in contracts and other matters shall apply.

4.3.3 The substance of this Standing Order shall be stated either in the Advertisement inviting applications for appointments or in any form of application supplied for use by candidates.

4.4 Lobbying

4.4.1 Canvassing of Members or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The substance of this sub-paragraph of this Standing Order shall be included in every advertisement inviting applications for appointment or in any form of application supplied for use by candidates.

4.4.2 A Member of the Council 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 for submission to the Council with an application for appointment.

4.4.3 Standing Orders nos. 4.3.1 and 4.3.2 shall apply to tenders as if the person making the tender were a candidate for an appointment

4.5 **Dispensations**

On a written request made to the Council's Proper Officer, the Proper Officer may grant a Member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest, if the Proper Officer believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

4.6 **Inspection of Land and Premises**

4.6.1 No Member shall, in the name of the Council, inspect any lands or premises which the Council has the right or duty to inspect unless authorised to do so by the Council or by a Committee.

4.6.2 No Member of the Council shall:
Issue any order in respect of any works or other thing which are being carried out by or on behalf of the Council unless authorised to do so by the Council
Enter (either orally or in writing) into any contract on the Council's behalf, or
(i) Negotiate personally on the Council's behalf for the purchase or sale of any land, property, plant, rights or commodities or for any lease or tenancy. All such negotiations shall be conducted by an Officer authorised by the Council except that:
(ii) At the request of the Officer, the Chairman of the appropriate Committee may attend any personal interview in the course of negotiations
(iii) In the matter of special importance, a Committee may instruct one or more of its members together with the officer concerned to conduct negotiations
Advisers – within any delegated authority a Committee may engage expert advisers to advise or negotiate on the Council's behalf.

4.7 **Inspection of documents**

4.7.1 A Member of the Council may for the purpose of his duty as such inspect any document (but not otherwise) 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.

Exception: A member shall not knowingly inspect nor call for a copy of any document relating to a matter where:

- He is professionally interested
- He has directly or indirectly an interest; or
- The document is or in the event of legal proceedings, would be protected by privilege arising out of the relationship of solicitor and client or where sight of any document might be prejudicial to the interests or justice or impartiality in any legal proceedings or pending legal proceedings including disciplinary matters.

4.8

Defamation

A person who has made a defamatory statement at a Council meeting may claim privilege for it by virtue of his office as a Councillor if he can show he made it without malice in pursuit of public duty. Fair comment on a matter of public interest is not actionable.

4.9

Council Identity Cards

All new members upon joining the Town Council will be invited to produce or be available for a photograph for the purpose of being issued with an identify card.

5. Financial Matters

5.1 Accounts and accounting statements

- 5.1.1 “Proper practices” in standing orders refer to the most recent version of [Governance and Accountability for Local Councils – a Practitioners’ Guide (England)].
- 5.1.2 All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council’s financial regulations.
- 5.1.3 The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
- (a) the council’s income and expenditure for each month;
 - (b) the council’s aggregate income and expenditure for the year to date;
 - (c) the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- 5.1.4 As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- (a) each councillor with a statement summarising the council’s income and expenditure for the last quarter and the year to date for information; and
 - (b) to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- 5.1.5 The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the June. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

5.2 Financial Controls and Procurement

- 5.2.1 The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- the keeping of accounting records and systems of internal controls;
 - the assessment and management of financial risks faced by the council;
 - the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - the inspection and copying by councillors and local electors of the council’s accounts and/or orders of payments; and
 - procurement policies in accordance with Public Contracts Regulations 2015
- 5.2.2 Financial regulations shall be reviewed regularly and at least once a year to maintain fitness of purpose by Full Council.

6. Staffing Matters

6.1 Handling Staff Matters

- 6.1.1 If at a meeting there arises any questions relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council it shall not be discussed but shall be referred to the Committee dealing with staffing matters.
- 6.1.2 Members of the Council shall in the first instance make or refer any complaints about the Council or its staff to the Town Clerk. If the matter cannot be satisfactorily resolved at that stage, the Town Clerk shall refer the matter to the Council or appropriate Committee.
- 6.1.3 Any complaints about the conduct of staff shall be dealt with strictly in accordance with the Council's Rules on disciplinary procedures.
- 6.1.4 Other staffing matters such as grievance, capability, dignity at work etc. shall be dealt with in accordance with the relevant Town Council policy on the subject.

6.2 Staff Absences

Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the Mayor of absence occasioned by illness or other reason and that person shall report such absence to the Committee dealing with staffing matters at its next meeting.

6.3 Annual Appraisals

- 6.3.1 The Mayor and the Leader of the Council, shall conduct an annual appraisal of the work of the Town Clerk. The Mayor and the Town Clerk shall conduct appraisals of the Deputy Town Clerk and Responsible Financial Officer.
- 6.3.2 Line Managers within the context of the staffing structure shall undertake annual appraisals of all other staff.

7. General

7.1 Requests for Information

- 7.1.1 Requests for information held by the council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- 7.1.2 Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the appropriate committee which shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

7.2 Execution of legal documents

A legal deed shall not be executed on behalf of the Council or appropriate Committee unless authorised by a resolution. Such resolution shall appoint any two councillors to execute, on behalf of the Council, any legal deed required and the Proper Officer shall witness their signatures.

7.3 Standing Orders Generally

- 7.3.1 A motion to vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
- 7.3.2 The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.

Appendix 1

Standing Orders/Guidance to members of the public

The purpose of these standing orders is to provide guidance for members of the press, or public, on the taking of photographs and/or the audio/visual recording of any Council meeting which is held in public.

There are no restrictions on anyone at a Council meeting using Twitter, blogs, Facebook or similar social media provided that the Mayor/Chairman does not consider their actions are disrupting the proceedings of the meeting

Recording and Reporting of proceedings by the media and General Public

Audio and visual recordings of a meeting of the Council and its Committees by the general public, or the media, are permitted. It would be helpful if those wishing to record could contact the Council before the meeting so that we can ensure the necessary facilities are in place. The Mayor/Chairman of the meeting will advise the public that the meeting is being recorded. A request to record a meeting shall only be refused if the Mayor/Chairman believes that the recording will be disruptive to the meeting.

Limitations

Although there is a statutory right to photograph and record Council meetings the proceedings of that meeting must not be disrupted by the use of media tools and must not inhibit community involvement in the proceedings.

Audio and Visual Recording – Your Obligations

Any member of the public, or of the media, wishing to photograph or record a meeting is asked to comply with the following:

- a) any photography or audio/visual recording takes place from a fixed position in the meeting room approved by the Chair so as to reduce disruption to the proceedings;
- b) use of flash photography or additional lighting is for a limited period only during the meeting at a point in the proceedings agreed in advance with the Mayor/Chairman
- c) if the Mayor/Chairman feels that any photography, audio or visual recording is disrupting the meeting in any way, or any pre-meeting agreement has been breached, then the operator of the equipment will stop;
- d) if, during the meeting, a motion is passed to exclude the press and public, because confidential or exempt information is likely to be disclosed, then all rights to record the meeting are removed and the operator of the equipment will be required to stop recording and/or photography;
- e) if a meeting is adjourned by the Mayor/Chairman then the operator of the equipment should stop any recording or photography at the point at which the meeting is adjourned;
- f) any request made by the Mayor/Chairman regarding respecting the public's right to privacy is complied with;
- g) people seated in the public seating area should not be photographed, filmed or recorded without the consent of the individuals concerned. Public notices will confirm that recording may take place and it is for the public to inform the council, or the person recording, if they object.

- h) use must not be made of an image or recording if consent is refused by a member of the public featured in that recording or image;
- i) Photographs, audio and visual recordings should not be edited in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing the views being recorded in a way that may ridicule or show lack of respect.

Notices will be displayed in the room advising the public that meetings can be recorded legally. The Mayor/Chairman will also make an announcement that the meeting will be photographed and/or recorded or filmed.

Currently, the Council audio records meetings for minuting purposes only.

Audio and Visual Recording – Your Rights

If, as a member of the public, you do not wish to be photographed, filmed or recorded please inform the Town Clerk in attendance at the meeting of the Mayor/Chairman of the meeting when notice is given that a request to photograph/record has been received.

Procedure Prior to the Meeting for those Wishing to Record or Photograph a Meeting

It would be appreciated if requests to take photographs or to record meetings open to the public, either by members of the public, or by the media, were, wherever possible, made to the Town Clerk for the meeting concerned before the meeting. Contact details are:

It would be helpful for the request to include the following information:

- a) which meeting the request refers to
- b) the name, organisation (if applicable) and contact details of the person making the request
- c) what equipment it is intended will be used (to determine what facilities might be required)
- d) what the photographs, or audio/visual recording will be used for and/or where the information is to be published (this is helpful for the Mayor/Chairman to be able to inform the public)

Any equipment required for recording purposes should be set up before the meeting starts to avoid disturbance.

Social Media

There are no restrictions placed on anyone at the meeting using Twitter, blogs, Facebook or similar "social media" provided that the Mayor/Chairman does not consider their actions are disrupting the proceedings of the meeting

If the Mayor/Chairman feels the use of social media is disrupting the proceedings the Councillor, member of the public or media present using social media may be required to stop.

If use continues the Mayor/Chairman will ask the person to leave the meeting. If the person refuses to leave then the Mayor/Chairman may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption.