

Henley on Thames Town Council



Standing Orders

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1. Meetings

Mandatory for full Council meetings



Mandatory for Committee meetings



Mandatory for Sub-Committee meetings



- a All Meetings of Full Council shall be held in the Town Hall, Henley on Thames commencing at 7.30pm unless the Council otherwise decides at a previous meeting. Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b When calculating the 3 clear days for notice of a meeting to Councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**
- c Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
(Note: If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed).
- d Subject to Standing Order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence during a public participation session at Full Council in respect of any matter which affects the town.**
- e Subject to Standing Order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence during a public participation session at all Committee and Sub-Committee meetings in respect of any item of business included in the agenda.**
- f The period of time which is designated for public participation in accordance with Standing Order 1(d) above shall not exceed 20 minutes and in respect of 1(e) above shall not exceed 10 minutes but capable of being extended at the Chairman's discretion.**
- g Subject to Standing Order 1(f) above, each member of the public is entitled to speak once only and shall not speak for more than 3 minutes but capable of being extended at the Chairman's discretion.**
- h In accordance with Standing Order 1(d) and 1(e) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.**
- i In accordance with Standing Order 1(g) above, the Chairman may direct that a response to a question posed be referred to a Councillor for an oral response or to the Town Clerk for a written or oral response.**
- j A record of a public participation session at a meeting shall be included in the minutes of that meeting. Public participation must not be used to specifically name a member of staff in relation to a complaint about Council's actions and performance.**
- k A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort. The Chairman may at any time permit an individual to be seated when speaking.**
- l Any person speaking at a meeting shall address his comments to the Chairman.**
- m Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.**
- n Whenever the Chairman rises during a debate all other members shall be seated and silent**

- o **A person may not orally report or comment about a meeting as it takes place if he is present at the meeting but otherwise may :**
 - a) film, photograph or make an audio recording of a meeting;
 - b) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
 - c) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.
- p **In accordance with Standing Order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- q **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.**
- r **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- s **Subject to Standing Order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
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- t **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (See also Standing Orders 2 (h) and (i) below.)**
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- u **Voting on any question shall be by a show of hands, or, if at least two members so request, by signed ballot. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
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- v **The Minutes of a meeting shall record the names of Councillors present.**

The Minutes of a meeting shall include an accurate record of the following:

 - i) The time and place on the meeting
 - ii) The names of the Councillors present and absent
 - iii) Interests that have been declared by Councillors and non-Councillors with voting rights
 - iv) Whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered
 - v) If there was a public participation session
 - vi) The resolutions made.
- w **The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting**

A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
- x **An interest arising from the Code of Conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also Standing Orders 7 and 8 below.)**
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- y **No business may be transacted at a meeting of Full Council unless at least 10 members of the Council are present. There must be a quorum within fifteen minutes of the scheduled start time of a meeting, otherwise it cannot take place. If, during the course of a meeting, the number of members present and not debarred by reasons of declared interest falls below the quorum the item cannot be discussed and is carried forward to the next Full Council meeting.**

If the number of members present, including those debarred by reasons of declared interest, falls below the quorum, the meeting cannot continue and any outstanding business is carried forward to the next Full Council meeting.
- z ***If the meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.***
- aa ***Meetings of Full Council and its Committees shall conclude by 10.00pm unless a motion is moved to extend the meeting beyond 10.00pm. Any outstanding business shall be transacted at the following meeting.***

2. Ordinary Council meetings

(In an election year Councillors should execute Declarations of Acceptance of Office in the presence of the Proper Officer previously authorised by the Council to take such declaration, before the Annual Meeting commences).

- a **In an election year, the Annual Meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- b **In a year which is not an election year, the Annual Meeting of a Council shall be held on the second Monday in May.**
- c **The Annual Meeting of the Council shall take place at 11.30am.**
- d **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 directs.**
- e **The election of the Chairman (Mayor) and Vice-Chairman (Deputy Mayor) of the Council shall be the first business completed at the Annual Meeting of the Council.**
- f **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.**
- g **The Deputy Mayor, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next Annual Meeting of the Council.**
- h **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.**
- i **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.**
- j **At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Mayor and Deputy Mayor be absent and to receive such**

declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.

k Order of Business

Following the election of the Mayor at the Annual Meeting of the Council, the order of business shall be as follows:

- i. To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
- ii. In an election year, to fill any vacancies left unfilled at the election by reason of insufficient nominations.

Confirmation of the accuracy of the Minutes of the last meeting of the Council.

- iii. To receive the Mayor's Relief and Convalescent Fund.
- iv. To receive Apologies for Absence.
- v. To elect a Deputy Mayor.
- vi. Appointment of Committees, the number of members and receipt of nominations to them.

Review of the terms of reference for Committees

Appointment of members to existing Committees.

Appointment of any new Committees

- vii. To review representation to work with Outside Bodies and procedure for regular reports

l At every meeting other than the Annual Meeting and after the first business has been completed, as set out in Standing Order 2j above, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-

- i To receive any disclosable pecuniary interests which are required to be notified to the monitoring officer in accordance with the provisions of the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- ii To read and consider the Minutes of the last meeting of Council.
- iii **After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
- iv **To deal with business expressly required by statute to be done.**
- v To receive questions and opinions from members of the public on any matter which affects the town.
- vi To dispose of business, if any, remaining from the last meeting.
- vii To receive and consider a progress report on any issue outstanding from the previous meeting.
- viii To receive reports from District and County Councillors
- ix To receive and consider reports from representatives appointed to serve on Outside Bodies
- x To receive such communications as the person presiding may wish to lay before the Council
- xi To answer questions from Councillors
- xii To receive and consider reports and Minutes of committees
- xiii To receive and consider reports from Officers of the Council.

- xiv To authorise the signing and sealing of documents
- xv To consider resolutions or recommendations in the order in which they have been notified.
- xvi To consider any other business specified in the summons.

3. Proper Officer

- a The Council's Proper Officer shall be the Clerk or such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Clerk's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.
- b The Council's Proper Officer shall do the following:
 - i. **Sign and serve on Councillors by email, delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a Committee and sub-Committee at least 3 clear days before the meeting;**
 - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a Committee or a sub-Committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);**
 - iii. Subject to Standing Orders 4(a)–(e) below, include in the agenda all motions in the order received unless a Councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;
 - iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with Standing Order [3(b)i];**
 - v. Make available for inspection the Minutes of meetings;
 - vi. **Receive and retain copies of byelaws made by other local authorities;**
 - vii. **Receive and retain declarations of acceptance of office from Councillors;**
 - viii. Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection;
 - ix. Record all declarations of interest tendered by Members and officers at meetings in a book and make this available for inspection;
 - x. Keep proper records required before and after meetings;
 - xi. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same;
 - xii. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - xiii. Manage the organisation, storage of and access to and destruction of information held by the Council in paper and electronic form;
 - xiv. Arrange for legal deeds to be sealed using the Council's common seal and witnessed (*See also Standing Orders 14(a) and (b)*);
 - xv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;

- xvi. Record every planning application notified to the Council and the Council's response to the local planning authority;
- xvii. Retain custody of the seal of the Council which shall not be used without a resolution to that effect;
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4. Motions requiring written notice

- a In accordance with Standing Order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and is relevant to the responsibilities of the meeting. The mover must give written notice of its wording to the Council's Proper Officer at least 7 clear days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 5 clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chairman or Councillors pursuant to Standing Order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's Standing Orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all Councillors.
- g Every motion rejected in accordance with the Council's Standing Orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all Councillors.
- h The Proper Officer shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- i Every motion and resolution shall relate to the performance of the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.
- j. If the subject matter of a motion comes within the province of a Committee or sub-Committee of the Council, it shall, upon being moved and seconded, be referred without discussion to that Committee/sub Committee for report. However, if the Chairman considers the matter to be of such importance that any delay may be prejudicial to the Council's best interests, then he may direct that the matter be dealt with immediately for reasons of urgency or expedience.

5. Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.

- i. To appoint a person to preside at a meeting.
- ii. To approve the absences of Councillors.
- iii. To approve the accuracy of the Minutes of the previous meeting.
- iv. To correct an inaccuracy in the Minutes of the previous meeting.
- v. To dispose of business, if any, remaining from the last meeting.
- vi. To alter the order of business on the agenda for reasons of urgency or expedience.
- vii. To proceed to the next business on the agenda.
- viii. To close or adjourn debate.
- ix. To refer by formal delegation a matter to a Committee or to a sub-Committee or an employee.
- x. To appoint a Committee or sub-Committee or any Councillors (including substitutes) thereto.
- xi. To receive nominations to a Committee or sub-Committee.
- xii. To dissolve a Committee or sub-Committee.
- xiii. To receive and consider the Minutes of a meeting of a Committee or sub-Committee.
- xiv. To consider a report and/or recommendations made by a Committee or a sub-Committee or an employee.
- xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi. To authorise legal deeds to be sealed by the Council's common seal and witnessed.
- xvii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xviii. To give leave to withdraw a resolution or any amendment
- xix. To extend the time limit for speeches.
- xx. To exclude the press and public for all or part of a meeting.
- xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- xxii. To give the consent of the Council if such consent is required by standing orders.
- xxiii. To suspend any Standing Order except those which are mandatory by law.**
- xxiv. To adjourn the meeting.
- xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxvi. To answer questions from Councillors.
- xxvii. To extend the meeting beyond 10.00pm.

6. Rules of Debate

- a. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.

- b Subject to Standing Orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c 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.
- d A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
(A personal explanation is a short statement by a Member concerning an issue that involves them personally or which may have an impact on them, or Members who feel they may have been misrepresented or misunderstood. A point of order is defined as “a question raised in a meeting by a Member as to whether the Council’s Standing Orders have been breached.”)
- e No speech by a mover of a resolution shall exceed 5 minutes, and no other speech shall exceed 5 minutes except by consent of the Council.
- f Subject to Standing Order 3(b)(iii) above, a motion included in an agenda not moved by the Councillor who tabled it, or by any other Councillor, unless postponed by the Council, shall be treated as withdrawn and shall not be moved without fresh notice
- g A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be submitted in writing and handed to the Chairman who shall determine the order in which they are considered.
- h A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- i Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.
 It should not negate the motion.
- j A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- k Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- l Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- m Pursuant to Standing Order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one. Except: To speak on an amendment moved by another Councillor; to move or speak on another amendment if the motion has been amended since he last spoke; to make a point of order; to give a personal explanation or in exercise of a right of reply.
- n If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- o If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- p The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.
- q Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.

- r Subject to Standing Orders 6(m) and (n) above, a Councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another Councillor or to make a point of order or to give a personal explanation.
- s During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the Standing Order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- t A point of order shall be decided by the Chairman and his decision shall be final.
- u With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- v Subject to Standing Order 6(o) above, when a Councillor's motion is under debate no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for him to leave the meeting;
 - vi. to refer a motion to a Committee or sub-Committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any Standing Order, except those which are mandatory.
- w In respect of Standing Order 6(v) (iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7. Code of Conduct

- a **All Councillors shall observe the Code of Conduct adopted by the Council.**
- b All Councillors shall undertake training in the Code of Conduct within 6 months of the delivery of their declaration of acceptance of office.
- c The Code of Conduct sets out the behaviours and characteristics required of Councillors and the registration of disclosable pecuniary interests.
- d Unless a Councillor 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 they have a disclosable pecuniary interest. The Councillor may not speak at any time of the meeting including public participation. The Councillor may return to the meeting after the item has been discussed.
- e A decision as to whether to grant the dispensation shall be made by the Town Clerk or by the majority of the Councillors present at the meeting, if appropriate. Notice of the proposal to grant dispensations must be on the agenda.

8. Questions

- a A Councillor may seek an answer to a question concerning any business of the Council provided 1 clear day's notice of the question has been given to the Proper Officer.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.

9. Minutes

- a A copy of the Minutes of a preceding meeting shall be circulated to all Councillors no later than the day of service of the summons to attend the next scheduled meeting.
- b No discussion of the draft Minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with Standing Order 5(a) (iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the Minutes relate.
- d Upon a resolution which confirms the accuracy of the Minutes of a meeting, the draft Minutes or recordings of the meeting for which approved Minutes exist shall be kept for a rolling four years of storage.

10. Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of Standing Order 10(a) above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with Standing Order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn- temporarily suspend or close - the meeting.

11. Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be changed within 6 months except either by a special motion, the written notice whereof bears the names of at least 5 Councillors of the Council and presented to the Council's Proper Officer at least 7 clear days before the next meeting, or by a motion moved in pursuance of the report or recommendation of a committee.

- b When a special motion or any other motion moved pursuant to Standing Order 11(a) above has been disposed of, no similar motion may be moved on the same decision within a further 6 months.

12. Voting on appointments

Where more than 2 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. Any tie may be settled by the Chairman's casting vote.

13. Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.
- b The Council's Financial Regulations shall be reviewed once a year.
- c The Council's Financial Regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a Committee, sub-Committee or to an employee.

14. Execution and sealing of legal deeds

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b In accordance with a resolution made under Standing Order 14(a) above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two members of the Council who shall sign the deed as witnesses.**

15. Committees

- a The Council may, at its Annual Meeting, appoint standing Committees and may at any other time appoint such other Committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may permit Committees to determine the dates of their meetings;
 - iii. shall appoint and determine the term of office of Councillor or non-Councillor members of such a Committee (unless the appointment of non-Councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. may in accordance with Standing Orders, dissolve a Committee at any time.
- b The Mayor and Deputy Mayor ex officio shall be members of every Committee.
- c Every Committee shall at its first meeting before proceeding to any other business, elect a Chairman and appoint a Vice-Chairman who shall hold office until the next Annual Meeting of the Council. For the election of Chairman, the mayor will preside. If the mayor is not present, the Deputy Mayor will preside. If neither are present, the Councillors present must choose a Councillor to preside.
- d The Standing Orders of the Council except Standing Order 1k relating to standing to address the Chairman and Standing Order 1g relating to speaking more than once shall apply to all Committee meetings.

- e **The members of a Committee may include non-Councillors unless it is a Committee which regulates and controls the finances of the Council.**

16. Sub-committees

- a Unless there is a Council resolution to the contrary, every Committee may appoint a sub-Committee whose terms of reference and members shall be determined by resolution of the Committee.
- b 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.
- c The Standing Orders of the Council except Standing Order 1k relating to standing to address the Chairman and Standing Order 1g relating to speaking more than once shall apply to all sub-Committee meetings.

17. Delegation of Authority to Committees

- a Within the Terms of Reference for each Committee as approved by Full Council, Standing Committees shall be awarded full delegated powers in respect of the following matters relating to the business of that Committee:
 - (i) appointing sub-Committees and working groups and the membership thereof;
 - (ii) researching information for further report to Committee;
 - (iii) presentations by third parties to Committee where information is exchanged;
 - (iv) receiving Officers' reports that are for information only;
 - (v) instructing the Committee Administrator or the Town Clerk to write to or to seek clarification from a third party to progress matters;
 - (vi) responding to consultation documents (where deadlines do not provide sufficient time to be considered at Full Council);
 - (vii) authorising expenditure up to £5,000 within the approved capital budget; and
 - (viii) authorising a virement of up to £10,000 within the approved revenue budget; all other requests to be referred to FSM for decision.
- b In respect of all Committee decisions relating to the delegated powers (i) to (viii) above, a decision shall be deemed as being passed by the majority of Members present and voting (including substitute members) provided no more than 2 Councillors vote against the decision.
- c Where the Chairman rules that on grounds of urgency referral to Full Council would be detrimental to the Council's interests and provided the clause (b) above relating to voting is satisfied, the Committee shall also be granted delegated powers to act on the Council's behalf in these exceptional situations so long as the minutes record that the decision has been taken under delegated authority and the reasons why are clearly stated.
- d Within the Terms of Reference specified by Full Council for the Planning Committee the following powers shall also be awarded in respect of these additional matters:
 - (i) submission of responses to all Planning Applications.
- e Within the Terms of Reference specified by Full Council for the Finance Strategy and Management Committee the following powers shall also be awarded in respect of these additional matters:
 - (i) appointing the Council's Internal Auditor and receiving their reports;

- (ii) appointing the Council's Investment Managers and receiving their performance reports;
 - (iii) awarding Community grants to local organisations within the budget allocation set aside for this purpose, all other extraordinary grants/loans to be recommended to Full Council for approval;
 - (iv) approving the budget timetable; and
 - (v) authorising Committee requests for virement over £10,000
- f The Council, a Committee or sub Committee may delegate authority to the Town Clerk or Responsible Finance Officer in consultation with the appropriate Chairman.
 - g No authority can be delegated to a Chairman or any other individual member or members.
 - h Such delegation can only be removed by way of an appropriate vote to rescind or revoke.

18. Extraordinary meetings

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.**
- c The Chairman of a Committee (or a sub-Committee) may convene an extraordinary meeting of the Committee or sub-Committee at any time.
- d If the Chairman of a Committee (or a sub-Committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by not less than a quarter of the members of the Committee, (or a sub-Committee) those Councillors may convene an extraordinary meeting of a Committee (or a sub-Committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by those Councillors seeking to convene an extraordinary meeting.

19. Advisory committees

- a The Council may appoint advisory Committees comprised of a number of Councillors and non-Councillors.
- b Advisory Committees and any sub-Committees may consist wholly of persons who are non-Councillors.
- c The Proper Officer shall inform the members of each advisory Committee of the Terms of Reference of the Committee.
- d An Advisory Committee may make recommendations and give notice thereof to the Council.
- e The Standing Orders of the Council except Standing Order 1k relating to standing to address the Chairman and Standing Order 1g relating to speaking more than once shall apply to all advisory Committee meetings.

20. Quorum numbers for Committees

a Quorum numbers for Standing Committees and Sub Committee meetings shall be

1. **Standing Committees**

A quorum number of at least 50% of the Councillors (elected and substitutes) is required at the start of, and during the course of each meeting for all **Standing Committees** of the Council. There must be a quorum within fifteen minutes of the scheduled start time of a meeting, otherwise it cannot take place and a new date for the meeting will be arranged.

If, during the course of a meeting, the number of members present and not debarred by reasons of declared interest falls below the quorum the item cannot be discussed and is carried forward to the next meeting.

If the number of members present, including those debarred by reasons of declared interest, falls below the quorum, the meeting cannot continue and any outstanding business is carried forward to the next meeting.

2. **Sub Committees**

For all **Sub Committees** of Full Council or its Standing Committees a quorum number equal to the LOWER of either-:

- i) 50% of elected Councillors
- ii) THREE elected Councillors or substitutes,

is required to enact business.

There must be a quorum within fifteen minutes of the scheduled start time of a meeting, otherwise it cannot take place and a new date for the meeting will be arranged.

If, during the course of a meeting, the number of members present and not debarred by reasons of declared interest falls below the quorum the item cannot be discussed and is carried forward to the next meeting.

If the number of members present, including those debarred by reasons of declared interest, falls below the quorum, the meeting cannot continue and any outstanding business is carried forward to the next meeting , or if agreed by at least two Councillors, informal notes can be made on agenda items.

3. **Advisory Committees, Working Groups and Informal Meetings**

The quorum of elected **Advisory Committees and Working Groups** shall be at least THREE Councillors at all times. Informal meetings with outside bodies and residents may take place with any number of Councillors for the purpose of information gathering or exchange of information. If the meeting is for information gathering, those Councillor(s) should report back at the next appropriate meeting of the Advisory Committee, Working Group or Council meeting. If the Councillor(s) are meeting with outside bodies or residents to exchange specific information from the Town Council – this should be agreed and noted/minutes prior to the meeting taking place.

20A. Appointment of Substitute Members

a) A Member of any Committee, Sub-Committee, Working Group, Panel, Advisory Committee, or Forum may appoint a substitute Councillor from the same political group provided the appointment has been confirmed to the Proper Officer prior to the meeting.

- b) Substitute members may only be appointed when the substantive Member is absent for the duration of the meeting in question.
- c) Members who act as a substitute Member have the same rights as the permanent Member in terms of receiving papers, speaking and voting at the meeting.
- d) The Proper Officer shall announce the attendance by a substitute Member at the commencement of the meeting. If the “permanently appointed” Member subsequently attends the meeting, the “permanently appointed” Member shall not be permitted to participate in the debate or vote on business at that meeting and may only speak during the public participation session; i.e. they may not displace the substitute, even if the substitute has left the meeting.
- e) In the event of the Chairman’s absence and appointing a substitute, the substitute may only act as an ordinary Member and will not “assume” any rights of the “permanently appointed” Member to act as Chairman. In such an event, the normal rules as to the Vice-Chairman taking the chair will apply. In the absence of both the Chairman and the Vice-Chairman from a meeting, the meeting shall appoint a chairman for the meeting who may be drawn from any Member (including any substitute Member) present and with voting rights.
- f) In the event of the resignation or death of a “permanently appointed” Member, a substitute may be allocated to each Committee, Sub-Committee, Working Group, Panel, Advisory Committee or Forum normally attended by that Member but until a by-election has taken place, no permanent appointment to fill the vacancy will be made.
- g) It shall be the responsibility of individual Members to make their own arrangements for the appointment of a substitute member. Although the Proper Officer or his staff may remind Members (who request that their apologies for absence be submitted for any meeting) that they can appoint a substitute from the same political group, those staff will not find or invite a substitute on the Member’s behalf.

21. Presence of Non-Members of Committees at Committee and sub-Committee Meetings

- a) A member who has proposed a resolution which has been referred to any Committee or sub-Committee of which he is not a member, may explain his resolution to the Committee but shall not vote.
- b) Members who have not been elected to serve on the Council’s appointed Standing Committees, Sub Committees, Advisory Committees or Working Groups are entitled to attend all such meetings as observers and may speak with the permission of the meeting. Councillors may also exercise their rights contained in *Standing Order 7* above in common with members of the public during the Public Participation Session.

22. Accounts and Financial Statements

- a) All payments by the Council shall be authorised, approved and paid in accordance with the Council’s Financial Regulations, which shall be reviewed at least annually.
- b) The Responsible Financial Officer shall present to every meeting of the Finance Strategy and Management Committee the management accounts summarising the Council’s income and expenditure and the balances held up to the end of the previous month. This statement should include a comparison with the budget for the financial year – the “dashboard”. Draft figures for income and expenditure for the year to 31 March shall be presented to each Councillor before the end of the following month of May. Full unaudited Statement of Accounts shall be presented to Council for formal approval before 30 June along with the Annual Return for signing off prior to sending to

the external auditor. The Annual Return shall be published by 30 September – or on return from the auditor.

23. Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** in accordance with the Financial Regulations.

24. Canvassing of and recommendations by Councillors

- a Canvassing Councillors or the members of a Committee or sub-Committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. 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 and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice.
- b The Clerk shall report to the Council or to the appropriate Committee any such disclosure. Where relationship to a member is disclosed Standing Order 3b (ix) shall apply. The Proper Officer shall disclose the requirements of this Standing Order to every candidate.
- c A Councillor or a member of a Committee or sub-Committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- d This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

25. Inspection of documents

Subject to Standing Orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a Committee or a sub-Committee, and request a copy for the same purpose. The Minutes of meetings of the Council, its Committees or sub-Committees shall be available for inspection by Councillors.

26. Unauthorised activities

Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, a Committee or a sub-Committee:

- i. inspect any land and/or premises which the Council has a right or duty to inspect; or
- ii. issue orders, instructions or directions.

27. Confidential business

- a Members of the Council or any committee or sub-committee shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A Member in breach of the provisions of standing order 27(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

28. Matters affecting Council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Finance Strategy and Management Committee/Legal and HR Working Group has decided whether or not the press and public shall be excluded pursuant to Standing Order 1(c) above.
- b The Town Clerk shall keep written records of all meetings relating to the management of Council employees, their performance, and capabilities, grievance and disciplinary matters.
- c The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- d Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- e Only persons with line management responsibilities shall have access to employee records referred to in Standing Orders 28(c) and (d) above if so justified.

29. Freedom of Information Act 2000

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to Finance Strategy and Management Committee. The said Committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under Standing Order 3(b) (xi) above.

30. Relations with the press/media

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b When members speak with the press or media they must make clear that they are speaking as individuals. They must only speak on behalf of the Council when authorised by resolution to do so, or in answer to a direct question in a manner which upholds Council policies and does not bring the Council into disrepute.

31. Liaison with District and County Councilors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillor of the District and County Council representing its electoral ward.
- b Unless the Council otherwise orders, a copy of each letter sent to the District or County Council shall be sent to the District or County Council Councillor representing its electoral ward.

32. Financial matters

- a 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:
 - i. the accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments;
 - v. procurement policies (subject to Standing Order 32(d) below) including the setting of different procedures where the contract has an estimated value of over £25,000, over £50,000 and over EUR 209000.
- b Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured in compliance with the Public Contracts Regulations 2015.**
- c Neither the Council, nor any Committee, is bound to accept the lowest tender, estimate or quote.
- d Where the value of a contract is likely to exceed EUR 209000 (or other threshold specified in the Regulations set by the Public Contracts Directive 2014/24/EU, the Council must comply with the Public Contract Regulations 2015.**

33. Allegations of breaches of the Code of Conduct

- a On receipt of a notification that there has been an alleged breach of the Code of Conduct the Proper Officer shall refer it to a Finance Strategy and Management Committee.
- b Where the notification relates to a complaint made by the Proper Officer, the Responsible Financial Officer shall assume the duties of the Proper Officer set out in the remainder of this Standing Order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Mayor shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.

- i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
 - ii. Ensure that any background papers containing the information set out in Standing Order 33(a) above are not made public.
 - iii. Ensure that the public and press are excluded from meetings as appropriate.
 - iv. Ensure that the Minutes of meetings preserve confidentiality.
 - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- e Standing Order 33(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Mayor) from disclosing information to members and Officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- f The Finance Strategy and Management Committee shall have the power to:
 - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
 - ii. seek and share information relevant to the complaint;
 - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the Full Council.
- g References in Standing Order 33 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the Code of Conduct by a Councillor.

34. Variation, revocation and suspension of Standing Orders

- a Any or every part of the Standing Orders, except those which are mandatory by law and are printed in **bold type**, may be suspended by resolution in relation to any specific item of business.
- b A motion to permanently add to or to vary or to revoke one or more of the Council's Standing Orders not mandatory by law shall not be carried unless two-thirds of the Councillors at a meeting of the Council vote in favour of the same.

35. Standing Orders to be given to Councillors

- a The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of his declaration of acceptance of office.
- b The Chairman's decision as to the application of Standing Orders at meetings shall be final.
- c A Councillor's failure to observe Standing Orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with Standing Orders.

Based on the NALC Model Standing Orders

Prepared September 2010

Approved by Finance Strategy and Management Committee 2 November 2010

Adopted by Council 23 November 2010

Amendments to Standing Orders

Standing Order 17 – **Delegation of Authority to Committees** – Approved by Finance Strategy & Management Committee 19 April 2011
Adopted by Council 3 May 2011

Standing Orders 15a(iv) and 15a(v) deleted and new Standing Order 20A added on the **Appointment of Substitute Members** - Approved by Finance Strategy & Management Committee 27 September 2011
Adopted by Council 18 October 2011

Standing Order 21b **Presence of Non-Members of Committees at Committee and Sub Committee Meetings** amended to allow Councillors to speak - Approved by Finance Strategy & Management Committee 8 November 2011
Adopted by Council 29 November 2011

Standing Order 1y and 20 **Quorum numbers for Council and Committee** and Standing Order 17 (vii) **authorisation of Capital Expenditure** - Approved by Finance Strategy & Management Committee 8 July 2014
Adopted by Council 29 July 2014

Standing Order 1o – changes to the **Openness of Local Government Bodies Regulations 2014** as regards filming – Approved by Finance Strategy & Management Committee 2 September 2014
Adopted by Council 23 September 2014

Standing Order amendments presented to the Finance Strategy and Management Committee meeting on 18 April 2017 and to be ratified at Full Council on 03 May 2017.

JW/LJ