

# THATCHAM TOWN COUNCIL STANDING ORDERS

Rules of the Town Council

Adopted by Thatcham Town Council on 28<sup>th</sup> September 2020

## Introduction

These Standing Orders constitute the rules for the operation of Thatcham Town Council. They are complemented by the Financial Regulations, and supplemented by a number of policies, including those listed in Standing Order 2.1.1. Many aspects of the operation of councils are defined by statute, including the obligations of Councillors, the Town Clerk (who is the 'Proper Officer') and Responsible Financial Officer (the two senior Officers of the Council) and the organisation of meetings. These are indicated thus: [m].

## 0 Definitions and meanings

[m]	This paragraph includes mandatory requirements
Note:	This paragraph is for information, and does not form part of the Standing Orders
Chair	The person chairing a meeting at a particular time
Clear Day	[m] A day between a deadline for a meeting and the date of the meeting. It does not include the day of the deadline, 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.
Christmas break	[m] Christmas day, Boxing Day and any bank holiday in substitution for such a day
Easter break	[m] Good Friday, Easter Saturday and Easter Monday.
He and him	Includes she and her
Councillor	[m] A current member of Thatcham Town Council.
Mayor	Includes Deputy Mayor, when deputising for the Mayor.
Chairman	includes Vice Chairman, when deputising for the Chairman. Includes Mayor, in respect of meetings of Full Council
Proper practices	The most recent version of "Governance and accountability for Smaller Authorities in England", issued by the Joint Panel on Accountability and Governance (JPAG) <sup>1</sup> .
Second or casting vote	'second vote' and 'casting vote' are equivalent
SO X.Y.Z	Standing Order (paragraph number)
(see SO X.Y.Z)	A cross-reference provided to assist in reading these Standing Orders (and which does not affect the interpretation of them)
shall	Indicates that a provision is mandatory within these Standing Orders; the negative is 'shall not'.
should	Indicates that a provision is a recommendation; the negative is 'should not'.
may	Indicates an option; the negative is 'need not'

<sup>1</sup> Jointly published by the Society of Local Council Clerks, the National Association of Local Councils and the Association of Drainage Authorities.

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# **1 Roles and Responsibilities**

## **1.1 Roles**

- 1.1.1 The Mayor shall preside over meetings of Full Council, and is the principal civic representative of the community of Thatcham.
  - 1.1.2 The Deputy Mayor shall deputise for the Mayor when he is unavailable.
  - 1.1.3 The Leader of the Council has responsibility for:
    - i) Providing political leadership to the Council.
    - ii) Acting as a liaison with the Town Clerk in indicating priorities and programmes for inclusion in Council business.
    - iii) Working with other Councillors as appropriate to outline the Council Strategy.
    - iv) Being the first point of contact for the Town Clerk when a political or policy response is needed.
  - 1.1.4 The Deputy Leader shall deputise for the Leader when he is unavailable.
  - 1.1.5 The Chairman of a Committee, Sub-Committee or Working Party is the person elected to that position in accordance with these Standing Orders.
  - 1.1.6 The Deputy Chairman of a Committee, Sub-Committee or Working Party (if one is elected) shall deputise for the Chairman when he is unavailable.
  - 1.1.7 The Proper Officer of the Council shall be the Town Clerk, where this role is specified by statute, regulation or order. The Town Clerk may delegate another staff member to undertake this role when he is absent and may delegate responsibility for specific tasks to other staff members.
  - 1.1.8 The Council shall appoint a Responsible Financial Officer.
- Note: For the responsibilities of the Responsible Financial Officer, see SO 2.2.1 and the Financial Regulations.
- 1.1.9 The Town Clerk may appoint an appropriate staff member to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.
  - 1.1.10 The Council may appoint a Deputy Town Clerk, who would deputise for the Town Clerk when he is unavailable.

## **1.2 Responsibilities of the Town Clerk**

- 1.2.1 The Town Clerk is responsible for ensuring that the Council, its members of staff and contractors comply with the policies and procedures of the Council, including those specified in SO 2.1.1.
- 1.2.2 The Town Clerk shall 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.
- 1.2.3 The Town Clerk, or the member of staff delegated under SO 1.1.7, shall:
  - a) [m] Give notice of meetings in accordance with SO 5.6.1 and SO 5.6.2.
  - b) [m] Convene a meeting of Full Council for the election of a new Mayor or occasioned by a casual vacancy;
  - c) [m] facilitate inspection of the Minute book by local government electors;

- d) [m] receive and retain copies of byelaws made by other local authorities;
  - e) Retain acceptance of office forms from councillors;
  - f) Retain a copy of a register of interests for Councillors;
  - g) Arrange for legal deeds to be executed (see SO 2.3.1);
  - h) Retain custody of the seal of the council, which shall not be used without a resolution to that effect (see SO 5.2.1 (j));
  - i) Provide a copy of the Council's standing orders to a Councillor upon acceptance of office.
- 1.2.4 The Town Clerk shall assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures.
- 1.2.5 The Town Clerk shall receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary.
- 1.2.6 In any matter 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, Leader, a Committee Chairman or at least one Councillor.
- 1.2.7 The Town Clerk is hereby given delegated authority to carry out such tasks as are necessary to ensure the efficient day to day management of Council business, in accordance with his job description and subject to any instruction of the Council or its Committees.

## **2 Functions of the Council**

### **2.1 Policies**

2.1.1 The Council shall have the following policies and procedures in place:

- These Standing Orders
- Code of Conduct for Members (see SO 3.1.1)
- Financial Regulations (See SO 2.2.1)
- Health and Safety Policy
- Data Protection Policy
- Data Retention Policy
- Publication Scheme
- Equality and Diversity Policy
- Safeguarding Policy

These documents shall fulfil all statutory requirements within their scope and include provisions for the efficient operation of the Council. They should be reviewed periodically, and in the event of significant changes in related legislation.

## **2.2 Financial Regulations**

- 2.2.1 The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer in accordance with Proper Practices. They shall be reviewed at least annually for fitness of purpose.

## **2.3 Execution of legal documents**

- 2.3.1 [m] A legal deed shall not be executed on behalf of the Council unless authorised by a resolution. Once so authorised, any two Councillors may sign, on behalf of the Council, any deed required by law, and the Town Clerk shall witness their signatures.

# **3 Responsibilities of Councillors**

## **3.1 Code of Conduct**

- 3.1.1 All Councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council, and its policies and procedures.

## **3.2 Declaration of interests**

- 3.2.1 [m] If a Councillor has a personal interest as defined by the Code of Conduct then he shall declare such interest to the Town Clerk as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- 3.2.2 [m] The Town Clerk shall record particulars of any notice given by any Councillor of an interest in a contract.
- 3.2.3 [m] If a Councillor wishes to take part in a discussion at a meeting on a matter on which they have an interest that Standing Orders would otherwise prevent their participation, he may make a written request to the Town Clerk for a dispensation to allow them to participate, or to participate and to vote.

[m] The Town Clerk may grant such a dispensation if the Town Clerk believes that the number of Councillors 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 Councillor to take part; or it is otherwise appropriate to grant a dispensation.

## **3.3 Confidentiality**

- 3.3.1 A Councillor or member of any Committee, Sub-Committee or Working Party of the Council shall not without legal justification disclose any matter, fact, statement or details of any report declared to be confidential in a meeting.
- 3.3.2 Councillors shall not disclose confidential information or personal data without legal justification.

## **3.4 Substitutes**

NOTE: A substitute system operates within the Town Council in respect of meetings.

- 3.4.1 Any Councillor who is not a member of a Committee, Sub-Committee or Working Party may act as a substitute if requested to do so by a Councillor who is a member of that committee for a meeting of that committee at which he will be absent.

- 3.4.2 A Councillor who is unable to attend a meeting should, if possible, inform the office by telephone or e-mail the Office to give his apologies before 5pm on the day of the meeting.
- 3.4.3 A Councillor who is unable to attend a meeting and who wishes to nominate a substitute shall inform the office by telephone or e-mail of the nominated substitute before 5pm on the day of the meeting.

### **3.5 Candidates for appointment and lobbying**

- 3.5.1 A Councillor shall disclose in writing to the Town Clerk any relationship known to him to exist between himself and a candidate for an appointment. Standing Orders 3.2.2 and 3.2.3 on declaration of interests shall then apply.
- 3.5.2 A Councillor shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 3.5.3 Standing Orders nos. 3.5.1 and 3.5.2 shall apply to tenders as if the business making the tender were a candidate for an appointment.

### **3.6 Prohibitions**

- 3.6.1 Unless duly authorised a Councillor shall not in the name of the Council:
- i) inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii) issue orders, instructions or directions.

Note: This does not prevent:

- i) a Chairman from attending meetings in the course of negotiations, at the request of an Officer.
- ii) a Committee from instructing one or more of its members together with the officer concerned to conduct negotiations.

### **3.7 Inspection of documents**

- 3.7.1 A Councillor may for the purpose of his duty (but not otherwise) inspect any document in the possession of the Council, and if copies are available shall, on request and for that purpose, be supplied with a copy.
- 3.7.2 A Councillor shall not knowingly inspect nor request a copy of any document relating to a matter where:
- He is professionally interested; or
  - He has directly or indirectly an interest; or
  - The document is, or would in the event of legal proceedings, 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; or disciplinary matters.



### **3.8 Voting members of Committees, Sub-Committees and Working Parties**

- 3.8.1 Voting members of Committees, Sub-Committees and Working Parties who are not Councillors shall also comply with the Members' Code of Conduct and these Standing Orders, in relation to their participation in these bodies.

## **4 Annual Meeting of the Town Council**

### **4.1 Date and time**

- 4.1.1 [m] In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the Councillors elected take office.
- 4.1.2 [m] In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- 4.1.3 [m] If no other time is fixed, the annual meeting of the Council shall take place at 6pm.

### **4.2 Chair of the Annual Meeting**

- 4.2.1 [m] The Mayor shall, unless he resigns or becomes disqualified, continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- 4.2.2 [m] The newly elected Mayor shall preside at the annual meeting from the time of his election.
- 4.2.3 [m] In an election year, if the current Mayor or Deputy Mayor has not been re-elected as a member of the Council, he shall not vote in the election except in accordance with SO 4.2.4.
- 4.2.4 [m] In the case of an equality of votes in the election of the Mayor, the person presiding at the meeting shall give a casting vote in addition to any other vote he may have.
- 4.2.5 [m] The Deputy Mayor, 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, and shall preside at that meeting if the Mayor is absent.

### **4.3 Order of business**

- 4.3.1 The order of business for the Annual Meeting shall include:
- a) [m] To elect a Mayor.
  - b) [m] 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.
- 4.3.2 The order of business may also include:
- 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 external bodies.
  - i) To approve a calendar of meetings for the ensuing municipal year.
- 4.3.3 If the order of business for the Annual Meeting does not include an item in SO 4.3.2, it shall be included in the Summons for the first meeting of Full Council after the Annual Meeting.
- 4.3.4 Unless otherwise decided, the Standing Committees so appointed shall include:
- Finance and General Purposes Committee
  - Recreation and Amenities Committee
  - Planning and Highways Committee
  - Events Committee
  - Staff Committee
  - Emergency Committee

## **5 Organisation of meetings**

### **5.1 Location and timing of meetings**

- 5.1.1 [m] In addition to the annual meeting of the Council, at least three other ordinary meetings of Full Council shall be held in each year on such dates and times as the Council decides.
- 5.1.2 Meetings 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 the Chairman of the Committee.
- 5.1.3 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.
- 5.1.4 [m] 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.

### **5.2 Order of business at meetings**

- 5.2.1 The order of business on the summons for a meeting of Full Council shall be:
- a) Apologies for absence and declarations of interest.
  - b) Questions from Councillors and the public.
  - c) To consider and adopt the Minutes of previous meeting(s).
  - d) Matters arising from the minutes.
  - e) To deal with any business expressly required by statute to be done.
  - f) To receive the Mayor's report and Deputy Mayor's report.
  - g) To dispose of business, if any, remaining from the last meeting.

- h) To receive and consider any reports and Minutes of Committees.
- i) To receive and consider reports from Officers of the Council.
- j) To authorise the sealing of documents.
- k) To consider motions in the order in which they have been notified.
- l) Other items as specified on the summons.

5.2.2 The order of business on the agenda of a Committee or Sub-Committee shall generally follow the order of business in SO 5.2.1, consistent with its terms of reference.

5.2.3 [m] The summons or agenda, papers that support the agenda and the Minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.

### **5.3 Motions moved on notice**

5.3.1 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.

5.3.2 A Councillor wishing a motion to be included on the summons or agenda for a meeting shall provide notice in writing to the Town Clerk at least seven clear days before the meeting.

5.3.3 Motions received shall be registered.

5.3.4 The Town Clerk may, after consultation if possible with the Councillor who submitted the motion, correct obvious grammatical or typographical errors.

5.3.5 If the meaning of the motion is unclear, the Town Clerk may refer the motion back to the Councillor for amendment.

5.3.6 If the wording or subject of a proposed motion is considered improper, the Town Clerk shall consult with the Chairman of the meeting to consider whether the motion shall be included in the agenda or referred back to the Councillor for amendment.

5.3.7 If a motion with amended wording that is acceptable is provided to the Town Clerk in accordance with SOs 5.3.5 or 5.3.6 in writing at least five clear days before the meeting, it shall be included on the agenda or summons of the meeting.

5.3.8 No motion that rescinds or negates a resolution passed within the preceding six months shall be considered unless written notice is provided to the Town Clerk by at least two thirds of the whole number of Councillors. Once this motion has been considered and voted on, no similar motion shall be considered for a further six months. This clause shall not apply to motions moved in pursuance of the recommendation of a Committee or Sub-Committee.

5.3.9 The decision of the Town Clerk as to whether or not to include a motion on the summons or agenda shall be final.

5.3.10 A motion may be withdrawn by the Councillor who submitted it at any time before it is moved in the meeting. If it is withdrawn or deferred to a future meeting before the summons or agenda is finalised, it shall not be included in it.

5.3.11 If a motion specified in the summons or agenda is not moved, it shall be treated as withdrawn, unless a motion was passed by the meeting that it be postponed or the meeting was adjourned before consideration of the motion was completed.

NOTE: If the proposer of the motion wishes it to be considered by a future meeting, it must be submitted again in accordance with SO 5.3.2.

## **5.4 Questions from Councillors and the public**

5.4.1 Except at the Annual Meeting, a Councillor 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 7 clear days before the date of the meeting, or
- If it pertains to an item on the agenda or summons, not later than 10 a.m. on the day of a meeting, or
- in a case of urgency, not later than 4 p.m. on the day of the meeting.

5.4.2 At a meeting of Full Council, a member of the public may ask a question. The question shall be submitted to the Town Clerk, in writing:

- not later than 10 a.m. on the day of a meeting, or
- in a case of urgency, not later than 4 p.m. on the day of the meeting.

## **5.5 Extraordinary meetings**

5.5.1 [m] The Mayor or Chairman of a Committee, may at any time convene an extraordinary meeting of the Council or Committee.

5.5.2 [m] Any Councillors may request the Mayor or a Chairman to convene an extraordinary meeting of the Full Council or a Committee of which they are members. This request shall be in writing and should be made through the Town Clerk. If the meeting has not been convened within seven days of the request being submitted, any two members of the Council or Committee may convene the meeting. The public notice giving the time, place and agenda for such a meeting shall be signed by those two Councillors.

## **5.6 Notice of meetings**

5.6.1 [m] The Town Clerk shall at least three clear days before a meeting of the Full Council, a Committee or a Sub-Committee serve on Councillors a signed summons or agenda confirming the date, time, and place of the meeting and the items to be considered. This shall be by delivery, post at their residences, or by e-mail (see SO 10.1.1).

5.6.2 [m] The Town Clerk 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 Full Council, a Committee or a Sub-Committee.

## **5.7 Full Council, Committees and Sub-Committees**

5.7.1 The Council may at the Annual Meeting appoint Standing Committees, that is permanent Committees to deal with a specific subject (see SO 4.3.4). Full Council may appoint other Committees as appropriate, and may dissolve or alter the membership of a Committee,

NOTE: If a member of a Committee is absent from three consecutive ordinary meetings, his membership of that Committee may be reconsidered.

5.7.2 [m] Membership of Committees and Sub-Committees expires at the next Annual Meeting.

- 5.7.3 The Chairman and Vice Chairman of any standing Committee and its Sub Committees shall be a Councillor. All members of the Finance and General Purposes Committee shall be Councillors.
- 5.7.4 A Committee may, in accordance with own terms of reference, establish a Sub-Committee, and shall specify its terms of reference and membership.
- 5.7.5 A Committee or Sub-Committee shall not commit to expenditure exceeding the amounts in the annual budget for items under its responsibility or the limits in the Financial Regulations without authorisation by Full Council.

## **5.8 Working Parties**

- 5.8.1 The Full Council or a Committee may establish a Working Party to address a particular topic, and shall specify its terms of reference and define its membership. A working party is intended to provide advice and recommendations to its parent committee, and shall not take decisions or make commitments on behalf of the Council. It may progress its work by email.

## **5.9 Minutes of meetings**

- 5.9.1 [m] Minutes of proceedings of Full Council, Committees and Sub-Committees shall be kept.
- 5.9.2 [m] These Minutes shall be open for inspection by any Councillor and any elector of the Parish during reasonable hours of the day, subject to any Committee minutes previously having been adopted by the Council.

NOTE: These minutes 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 other way.

# **6 Rules of Procedure for meetings**

## **6.1 Quorum**

- 6.1.1 A substitute nominated in accordance with SOs 3.4.1 and 3.4.3 is considered to be a member of that committee for the duration of the meeting.
- 6.1.2 No business may be transacted at a meeting of Full Council, a Committee or Sub-Committee unless there is a quorum: all three of the following conditions shall be met:
- i) [m] The number of members or substitutes present shall be at least one third of its membership (for Full Council, this is six Councillors, i.e. one third of the whole number of eighteen Councillors elected); and
  - ii) [m] At least three members or substitutes shall be present; and
  - iii) Any stipulations for the quorum in the terms of reference shall be met.
- 6.1.3 If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be temporarily suspended until a quorum is restored, or closed. If the meeting is closed, the remaining business on the agenda for the meeting shall be adjourned to another meeting.

## **6.2 Declaration of interests**

- 6.2.1 [m] If a Councillor who has declared a personal interest considers the interest to be a disclosable pecuniary interest, he must withdraw from the room or chamber for the duration of consideration of the item to which the interest relates, unless he has been granted a dispensation (see SO 3.2.3).
- 6.2.2 Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting for the duration of consideration of the item in which he has another interest if so required by the Council's Code of Conduct.

## **6.3 Protocol for meetings**

- 6.3.1 A member shall raise his hand when requesting to speak.
- 6.3.2 A person who speaks at a meeting shall direct his comments to the Chair.
- 6.3.3 The decision of the Chair as to the application of standing orders at the meeting, the admissibility of a personal statement or on a point of order shall be final.
- 6.3.4 At the discretion of the Chair, a discussion may be held on an item on an agenda or summons prior to the motion being formally proposed and seconded.
- 6.3.5 Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall direct the order of speaking.
- 6.3.6 The person speaking shall only be interrupted by another member for one of the following reasons, and he shall then stop speaking:
  - a) on a point of order; a member raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
  - b) for a member to give a personal explanation, which shall be confined to some material part of a former speech by him which may have been misunderstood.
  - c) to propose one of the motions specified in SO 6.8.4.
- 6.3.7 At Full Council, a Councillor shall stand when speaking unless permitted by the Chair to sit, and whenever the Chair rises all other Councillors shall be seated and become silent.
- 6.3.8 At Full Council, a Councillor may ask, without notice, a question to the Mayor or the Chairman of a Committee in relation to the item on the summons that is then being considered, who 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.
- 6.3.9 A Councillor is entitled to attend any meeting of any Committee or Sub-Committee of which he is not a member or substitute. If he has proposed a motion which has been referred to the Committee, he is entitled to explain his motion to the Committee but shall not vote. Otherwise, he shall only speak or take part in the proceedings with the agreement of the Chair.
- 6.3.10 A meeting shall not exceed a period of two hours, unless a motion to extend the meeting has been passed (see SO 6.8.3 s)). A meeting shall only continue beyond 10pm with the unanimous agreement of all members present.

## **6.4 Voting**

- 6.4.1 [m] Voting at Full Council, Committees and Sub-Committees shall be by show of hands, and decided by a majority of the Councillors and non-Councillors with voting rights present and voting, including the Chair.
- 6.4.2 [m] In the event of an equality of votes, the Chair shall have a second or casting vote.
- 6.4.3 [m] At the request of a Councillor, made before the vote is taken, the voting on any question shall be recorded so as to show whether each member present and voting gave his vote for or against that question or abstained.

Alternatively, at the request of a Councillor, made before the vote is taken, the voting on any question shall be recorded so as to show the number of votes for or against that question and abstentions.

Any individual Member may ask for how they have voted to be recorded.

## **6.5 Attendance and participation of members of the public at meetings**

- 6.5.1 [m] 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.
- 6.5.2 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 (see SO 6.8.4 u)).
- 6.5.3 Members of the public may be invited to speak by resolution (see SO 6.8.1 g) & h)).
- 6.5.4 At Full Council, a period of up to fifteen minutes will be set aside for public questions; and the response may be at the Mayor's discretion.
- 6.5.5 Three minutes shall be allowed for speaking under SO 6.5.3 and for a question under SO 6.5.6, except with the permission of the Chair.
- 6.5.6 Questions should be put and answered without discussion.
- NOTE: When representatives of an external body are invited to make a presentation, the Chairman should agree with them the time allowed.
- 6.5.7 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 is given in Appendix 1.

## **6.6 Business to be conducted at meetings**

- 6.6.1 If the Chairman and Vice-Chairman are both absent at the start of a meeting, a Councillor shall open the meeting and the first business shall be the appointment of a Chair.
- 6.6.2 Only the following motions shall be considered at meetings:
- i) Motions set out on the agenda or summons.
  - ii) Motions to reach a conclusion or specify an action related to an item on the summons or agenda.
  - iii) Motions that may be moved without notice, as specified in SOs 6.8.1 to 6.8.4.
- 6.6.3 Items on the summons or agenda shall be considered in the order that they appear, unless the order is changed at the discretion of the Chair or by motion (see SO 6.8.2 i)).

- 6.6.4 A motion to vary or revoke a Standing Order shall be moved with notice in accordance with SOs 5.3.1 to 5.3.9. Once proposed and seconded, it shall stand adjourned without discussion to the next ordinary meeting of the Full Council. It shall not have the effect of compromising the compliance of the Council with mandatory requirements of legislation or regulation.
- 6.6.5 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 Staff Committee.

## **6.7 Debating of motions**

- 6.7.1 A motion shall not be discussed or voted on unless it has been proposed and seconded. An amendment shall not be voted on unless it has been proposed and seconded.

NOTE: Proposal of amendments is addressed by SO 6.8.3 j)

- 6.7.2 If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- 6.7.3 A member shall direct his speech to the question under discussion or to a personal explanation or a point of order.
- 6.7.4 No speech shall exceed three minutes except by consent of the Chair, or by resolution (see SO 6.8.3(p)).
- 6.7.5 The mover of a motion shall have a right to reply immediately before the motion is put to the vote.
- 6.7.6 A member exercising a right of reply shall not introduce a new matter.
- 6.7.7 Unless permitted by the Chair, a member may only speak:
- once on the main motion; and
  - once on each amendment moved by another member, or group of amendments if the Chair has decided to combine them (see SO 6.9.2); and
  - to move a motion specified in SO 6.8.3 or 6.8.4; and
  - to make a point of order or to give a personal explanation (see SO 6.3.6); and
  - to exercise a right of reply (see SOs 6.7.5 & 6.9.5).

## **6.8 Motions moved without notice**

- 6.8.1 The following motions may be moved without notice at specific points in a meeting:
- a) To elect a Chair of the Meeting.
  - b) to correct an inaccuracy in the draft Minutes of a meeting (see SO 6.10.1).
  - c) To adopt the Minutes (see SO 6.8.5).
  - d) To approve a recommendation made by a Committee, Subcommittee or Working Party, or by an Officer.
  - e) To adopt a report.
  - f) To give the consent of the Council where such consent is required by these Standing Orders.



- g) To invite members of the public to speak (see SO 6.8.5).
  - h) To end the period during which members of the public may speak (see SO 6.8.5).
- 6.8.2 The following motions may be moved without notice between items on the agenda or summons:
- i) To alter the order of business (see SO 6.8.5).
- 6.8.3 The following motions may be moved without notice by a speaker during his speech or by a member between speeches:
- j) To amend a motion.
  - k) To give leave to withdraw a motion or an amendment (see SO 6.8.5).
  - l) To refer a matter to a particular Committee or Sub-Committee or Working Party.
  - m) To establish a Committee, Sub-Committee or Working Party, and/or to appoint any members thereof.
  - n) To postpone discussion of an item to a future meeting (see SO 6.8.5).
  - o) to suspend a particular standing order (unless it reflects a mandatory, statutory or legal requirement).
  - p) To extend the time limit for speeches (see SO 6.8.5).
  - q) That the motion now be put to vote (see SO 6.8.6).
  - r) To proceed to the next business on the agenda (see SO 6.8.5).
  - s) To extend the meeting by a specified time (see SO 6.8.5).
  - t) To adjourn the meeting (see SO 6.8.5).
- 6.8.4 The following motions may be moved without notice at any time in the meeting:
- u) to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest.
  - v) to not hear further from a Councillor or a member of the public; (see SOs 6.8.5, 6.11.2).
  - w) to exclude a Councillor or member of the public for disorderly conduct (see SOs 6.8.5, 6.11.2).
  - x) to temporarily suspend the meeting (see SO 6.8.5).
- 6.8.5 These motions, once seconded, shall be put to a vote without debate: SO 6.8.1 a), c), g), & h); SO 6.8.2 i); SO 6.8.3 k), n), p), r), s) & t); and SO 6.8.4 u), v), w) & x).
- 6.8.6 If the motion "that the motion now be put to vote" is carried (see SO 6.8.3 q)), the proposer of the main motion has a right of reply (which he can waive), after which the motion is immediately put to vote.
- 6.8.7 A motion without notice shall not have the effect of rescinding or negating a resolution passed within the preceding six months.

## **6.9 Amendments to motions**

- 6.9.1 An amendment is a proposal to remove and/or add words to a motion. It shall not negate the motion.
- 6.9.2 If there is more than one amendment to a motion, the amendments shall be moved and discussed in the order directed by the Chair, unless the Chair decides that it is expedient for them to be discussed together. Each amendment shall be voted on separately, in the order directed by the Chair.
- 6.9.3 If an amendment to the original motion is carried, the original motion as amended becomes the substantive motion upon which further amendment(s) may be moved.
- 6.9.4 A member may, with the consent of his seconder, move amendments to his own motion.
- 6.9.5 The mover of an amendment shall be entitled to reply immediately before the amendment is put to the vote (see also SO 6.7.6).

## **6.10 Adoption and approval of minutes**

- 6.10.1 There shall be no discussion about the draft Minutes of a preceding meeting except in relation to their accuracy.
- 6.10.2 Adoption of the Minutes of a Committee by Full Council shall be by motion, which should be moved by the Chairman or another member of that Committee and shall be seconded. Before the vote on the motion, a Councillor may ask a question on the minutes (see SO 6.3.8), object to a resolved item (see SO 6.10.3) or object to a recommendation (see SO 6.10.4).
- 6.10.3 A Councillor making a formal objection to a resolved item may speak for not more than three minutes but shall not propose a motion. The Chairman of the Committee (or other Councillor who moved the Minutes) may reply but no other Councillor may speak.
- 6.10.4 A Councillor making a formal objection to a recommended item may speak for not more than three minutes and may in addition move one of the following motions:
  - 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 amend the recommendation, but an amendment shall not have the effect of introducing a new subject matter (see SO 6.9.1).

The debate on this motion shall follow the procedure in SOs 6.7.1 to 6.7.7, except that the Councillor who moved the adoption of the Minutes or his nominee shall have a right of reply.

## **6.11 Disorderly Conduct**

- 6.11.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair shall request such person(s) to moderate or improve their conduct.
- 6.11.2 If person(s) disregard the request of the Chair to moderate or improve their conduct, the Chair or any Councillor may move that the person be no longer heard or be excluded from the meeting (see SO 6.8.4).

- 6.11.3 If a resolution made under SO 6.11.2 is ignored, the Chair may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## **Staffing Matters**

### **7.1 Accountability**

- 7.1.1 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.

### **7.2 Confidentiality**

- 7.2.1 Council staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

### **7.3 Candidates for appointment**

- 7.3.1 If a candidate for any appointment under the Council is to his knowledge related to any Councillor 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.
- 7.3.2 Canvassing of Councillors or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment.
- 7.3.3 The substance of Standing Orders 7.3.1 and 7.3.2 shall be included in every advertisement inviting applications for appointment and in any form of application supplied for use by candidates.
- 7.3.4 Standing Orders 3.5.1 to 3.5.3 "Candidates for appointment and lobbying" shall also apply to staff of the Council.
- 7.3.5 The Town Clerk shall report to the Staff Committee any disclosure under Standing Orders 3.5.1 or 7.3.1.

### **7.4 Handling of staff matters**

- 7.4.1 Councillors shall in the first instance make or refer any complaints about the Council office 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 Staff Committee. A complaint about the Clerk shall be addressed through the disciplinary procedure.
- 7.4.2 The Town Clerk shall notify the Mayor of absence that falls outside the Council's policy regarding absences from work and he may report such absence to the Staff Committee at its next meeting.
- 7.4.3 The Mayor and the Leader of the Council shall conduct an annual appraisal of the work of the Town Clerk, and a relevant Chairman and the Town Clerk shall conduct appraisals of the Responsible Financial Officer and the Deputy Town Clerk, if appointed.

NOTE: The relevant Chairman and the Town Clerk conduct appraisals of Senior Officers and Line Managers undertake the annual appraisals of all other staff.

## **8 The Annual Town Assembly**

- 8.1.1 [m] An assembly of the Town shall be held between 1st March and 1st June every year. Proceedings at this meeting shall not begin before 6pm.
- 8.1.2 [m] 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 Chair before it proceeds to any other business. The Chair shall ensure that arrangements are in place for minutes to be taken of the proceedings.
- 8.1.3 The order of business at the Annual Assembly shall be as follows:
- a) To consider the minutes of the previous Assembly and, if a true record, for the Chair to sign them.
  - b) To receive the Annual Report of the Town Council and/or of its Chairmen of Committees.
  - c) To receive the Council's observations on its finances for the current year
  - d) To receive any Annual Reports from representatives on external bodies and school governors serving the town.
  - e) To consider resolutions of which written notice has been given.

## **General**

### **9.1 Electronic communications**

- 9.1.1 If a Councillor or member of a Committee or Sub-Committee has agreed to receive communications by email, the notification of meetings and other documentation may be sent to an email account provided by the Council for this purpose.
- 9.1.2 Unless required by legislation or regulation, where these Standing Orders stipulate that a communication shall be 'written' or 'in writing' or shall be signed, an email sent from an account provided by the Council shall be deemed to fulfil this requirement.

## **A1 Appendix: Recordings and use of social media at meetings**

### **A1.1 Purpose of this guidance**

- A1.1.1 The purpose of this appendix 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.
- A1.1.2 There is a statutory right to photograph and record Council meetings and to use social media, but these must not disrupt the proceedings of that meeting and must not inhibit community involvement in the proceedings.
- A1.1.3 Currently, the Council audio records meetings for minuting purposes only.

## **A1.2 Recording and Reporting of proceedings by the media and public**

- A1.2.1 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 Chair of the meeting will advise the public that the meeting is being recorded.
- A1.2.2 A request to record a meeting shall only be refused if the Chair believes that the recording will be disruptive to the meeting.
- A1.2.3 if the Chair 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 shall stop.

## **A1.3 Use of social media**

- A1.3.1 There are no restrictions placed on anyone at the meeting using Twitter, blogs, Facebook or similar social media, provided that the Chair does not consider their actions are disrupting the proceedings of the meeting.
- A1.3.2 If the Chair feels the use of social media is disrupting the proceedings the person using social media may be requested to stop.

## **A1.4 Obligations of people making recordings or using social media**

- A1.4.1 [m] If, during the meeting, a motion is passed to exclude the press and public, then all recording and photography shall stop for the period of the exclusion.
- A1.4.2 [m] If a meeting, is suspended or adjourned, then all recording and photography shall stop for the period of suspension or from the moment of adjournment.
- A1.4.3 [m] A person present at a meeting shall not provide an oral report or oral commentary about a meeting as it takes place without permission.
- A1.4.4 People seated in the public seating area shall not be photographed, filmed or recorded without the consent of the individuals concerned.
- A1.4.5 Use shall not be made of an image or recording if consent is refused by a member of the public featured in that recording or image;
- A1.4.6 Photographs, audio and visual recordings should not be edited in a way that could lead to misinterpretation of the proceedings, or in a way that may ridicule it or shows a lack of respect.
- A1.4.7 If a person does not comply with a request to stop acting in a way that is disrupting a meeting, the meeting may pass a motion for that person for disorderly conduct or for the meeting to be adjourned or suspended (see SOs 6.8.3 and 6.8.4).

## **A1.5 Other members of the public attending meetings**

- A1.5.1 If a member of the public does not wish to be photographed, filmed or recorded, they should inform the Town Clerk or his deputy in attendance at the meeting when notice is given that a request to photograph/record has been received.
- A1.5.2 Notices shall be displayed in the room advising the public that meetings can be recorded legally. The Chair will also make an announcement that the meeting will be photographed and/or recorded or filmed.

## **A1.6 Arrangements for recording or photography**

A1.6.1 A person planning to take photographs or to record meetings is requested to inform the Town Clerk before the meeting, with the following information:

- The meeting(s) at which the recordings are planned to be made.
- the name, organisation (if applicable) and contact details of the person making the request.
- what equipment it is intended will be used
- The intended use of the recording or photographs, and where they might be published (this is helpful for the Chair to be able to inform the public)

A1.6.2 Any person 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 at a time agreed in advance with the Chair.
- c) Any equipment required for recording purposes should be set up before the meeting starts to avoid disturbance.

## **Document History**

Date approved	Changes
28.09.2020	New Standing Orders approved