



Standing Orders

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Note: The Standing Orders where the text is in Bold Type may not be suspended (see Standing Order 89)

SECTION 1: MEETINGS OF THE FULL COUNCIL

MEETINGS GENERALLY

1. **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.**
2. **The minimum three clear days for notice of a meeting does not include the day on which the 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.**
3. **The minimum three clear days for public notice for a meeting does not include the day on which the notice was issued or the day of the meeting.**
4. Meetings of the Council shall be held as decided by Council on the published schedule of meetings.
5. Standing Orders 113 to 114 (Admission of the public and press to meetings) shall apply to meetings of the Council.
6. **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 their right to participate and vote on that matter** in accordance with Standing Order 130.
7. **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor may in their absence be done by, to or before the Deputy Mayor .**
8. **The Mayor, if present, shall preside at a meeting. If the Mayor is absent from a meeting, the Deputy Mayor if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
9. A meeting shall not generally exceed a period of two hours but with the agreement of the meeting – the Mayor or whoever is presiding - may propose an extension of 30 minutes which should be voted on without discussion.

THE ANNUAL MEETING

- 10. 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. A ceremonial Mayor-Making will be scheduled before the Annual Meeting.**
- 11. 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. A ceremonial Mayor-Making will be scheduled before the Annual Meeting.**
- 12. In addition to the Annual Meeting of the Council, at least five other ordinary meetings shall be held in each year on such dates and times as Council decides.**

FIRST BUSINESS OF THE COUNCIL

- 13. The first business conducted at the Mayor-Making Ceremony shall be the election of the Mayor and Deputy Mayor.**
- 14. The Mayor, unless they resign or become disqualified, shall continue in office and preside until a successor is elected at the next Mayor-Making ceremony.**
- 15. The Deputy Mayor, unless they resign or become disqualified, shall hold office until immediately after the election of the Mayor at the next Mayor-Making ceremony.**
- 16. In an election year, if the current Mayor has not been re-elected as a member of the Council, they shall preside at the Mayor-Making Ceremony until a successor Mayor has been elected. The out-going Mayor shall not have an original vote in respect of the election of the new Mayor but shall give a casting vote in the case of an equality of votes.**
- 17. In an election year, if the current Mayor has been re-elected as a member of the Council, they shall preside at the Mayor-Making Ceremony until a successor Mayor has been elected. The out-going Mayor shall have an original vote in respect of the election of the new Mayor and shall give a casting vote in the case of an equality of votes.**

ORDER OF BUSINESS – MAYOR MAKING CEREMONY

- 18. In an election year, delivery by the Mayor and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Mayor of the acceptance of office form unless the Council resolves for this to be done at a later date. Acceptance of the office of Mayor should be done at Mayor-Making as part of the ceremony.**

Order of business at Mayor-Making should include:

- **Election of Mayor**
- **Election of Deputy Mayor**
- **Review of the mayoral year by outgoing Mayor**
- **Possible awarding of cheques to charities**
- **Any other awards ie: mayoral cadet etc**
- **Acceptance speech by incoming Mayor**
- **Confirmation of charities for the year**
- **Confirmation of General Power of Competence – election year only**

ORDER OF BUSINESS – ANNUAL MEETING

19. At the Annual Meeting of the Council, the order of business shall be as follows:

- a. To receive apologies.
- b. To receive any declarations of interest.
- c. To appoint the Leader and Deputy Leader
- d. To approve and adopt the minutes as a correct record in accordance with Standing Orders 63 to 68.**
- e. To receive Committee minutes including delegated decisions made under the Scheme of Delegation. Questions to the Chair may be raised and answered. No debate permitted.
- f. To consider recommendations of Committee(s) to Council.
- g. To review delegation arrangements to Committees and to employees.
- h. To receive nominations to existing Committees and to make appointments in accordance with Standing Order 100 and receive nominations for Chair and Vice-Chair subject to their election at the first meeting of the Committee.
- i. To appoint any new Committees in accordance with Standing Order 100 and confirm any delegated matters.
- j. To adopt appropriate Standing Orders and Financial Regulations as recommended under Standing Order 132.
- k. To receive nominations and make appointments to working groups and external bodies and organisations.
- l. To receive and agree the schedules of financial payments.
- m. Review of the Council's expenditure incurred under S 137 of the Local Government Act 1972 or the General Power of Competence (GPC) approved at Mayor-Making.

- n. To receive such communications as the Leader of the Council may wish to bring before the Council and to consider the recommendation of the Leader on how such communications should be dealt with.
- o. To consider motions in the order in which they have been notified.
- p. To consider any other matters specified in the summons.
- q. To question the Leader of the Council in accordance with Standing Order 58.
- r. **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors and non-councillors with voting rights present and voting.**
- s. To consider confidential and exempt matters.

COUNCIL MEETINGS (OTHER THAN THE ANNUAL MEETING)

ORDER OF BUSINESS

- 20. **At every meeting the first business shall be to appoint a person to preside if the Mayor and the Deputy Mayor may be absent.**
- 21. After the first business has been completed, the order of business, unless the Council decides otherwise on the ground of urgency, shall be as follows:
 - a. To receive apologies.
 - b. To receive any declarations of interests.
 - c. To receive petitions
 - d. **To approve and adopt the minutes as a correct record in accordance with Standing Order 63 to 68.**
 - e. To receive Committee minutes including delegated decisions made under the Scheme of Delegation. Questions to the Chair may be raised and answered. No debate permitted.
 - f. To consider recommendations of Committee(s) to Council.
 - g. To receive the Mayor's report.
 - h. To dispose of business, if any, remaining from the last meeting.

- i. To receive and agree the schedules of financial payments.
- j. To receive such communications as the Leader of the Council may wish to bring before the Council and to consider the recommendation of the Leader on how such communications should be dealt with.
- k. To consider motions in the order in which they have been notified.
- l. To consider any other matters specified in the summons.
- m. To receive correspondence for information.
- n. To question the Leader of the Council in accordance with Standing Order 58.
- o. To consider confidential and exempt matters.

EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- 22. **The Mayor may convene an extraordinary meeting of the Council at any time.**
- 23. **If the Mayor does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.**
- 24. The Chair of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- 25. If the Chair of a committee [or a sub-committee] does not call an extraordinary meeting within seven days of having been requested by to do so by two members of the committee [or the sub-committee], any two members of the committee [or the sub-committee] may convene an extraordinary meeting of a committee [or a sub-committee].

CHAIR OF MEETINGS

- 26. **The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise a casting vote whether or not they gave an original vote.**

QUORUM OF THE COUNCIL

27. **No business may be transacted at a meeting unless one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**
28. A motion to suspend Standing Orders shall not be proposed without notice unless at least two-thirds of the members are present.
29. If a quorum is not present or if during a meeting the number of Councillors present falls below the required quorum, the meeting shall be adjourned and business not considered shall be transacted at the next meeting or on such other day as the Mayor and Leader may agree.

PUBLIC PARTICIPATION

30. Public participation will normally be for a period of no longer than 20 minutes unless the Chair agrees otherwise.
31. Subject to 32 below, members of the public shall be allowed to address the Council on any matter that is relevant to a function of the Council – except at the Annual Meeting - on the following conditions:
 - a. That they make their intention known to the Mayor or the Town Clerk prior to the beginning of the meeting. The Town Clerk shall inform the Mayor.
 - b. That where a number of people wish to make similar representations they are prepared to select one person from amongst their number to speak for them all.
 - c. That where different people wish to speak on each side of a debate then each side may appoint one member to represent their views.
 - d. That no member of the public may speak for more than five minutes.
 - e. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
32. The procedure for dealing with such a request shall be as follows:
 - a. If the Mayor accepts the request, they shall at the start of the meeting propose the adjournment of the meeting for such time as is needed to hear members of the public, but for no more than 20 minutes.
 - b. If the Mayor does not accept the request, they shall – as a first item – explain why the request was refused and seek the agreement of other Members at the meeting.
 - c. If the Mayor's proposal is rejected – the person will be allowed to speak.

- d. After an adjournment accepted under Standing Order 32a, the Mayor may propose the order of business be altered to take the matter on which the public has made representations immediately after the minutes of the meeting have been approved, or in such other place as seems appropriate.

PETITIONS

33. The procedure for dealing with a petition shall be as follows.
34. Any person (who is not a member of the Council) may present a petition at a Council meeting provided that:
 - a. the subject matter is relevant to a function of the Council;
 - b. the petition has been signed by a minimum number of 20 persons;
 - c. notice to present a petition is given to the Town Clerk by noon on the day prior to the meeting of the Council;
 - d. the petition is delivered to the Town Clerk on the last working day prior to the meeting.
35. When petitions are presented:
 - a. the presenter shall have the right to address Council for not more than five minutes in support of the petition;
 - b. if the petition is directly relevant to an item in the agenda members shall have regard to it when discussing that item;
 - c. if the petition is not relevant to any item in the agenda, it shall be referred to the relevant committee or a future Council meeting and notice of its consideration shall be given in accordance with Standing Order 118.
36. Any question as to the relevance of any petition shall be determined by the Chair without debate other than by challenge as per Standing Orders.
37. In cases when the petition is referred to a committee of the Council, the Town Clerk shall inform the petitioner, within 10 working days of the committee's consideration, what action will be, or has been taken, in respect of the petition.

DISRUPTION BY A MEMBER OF THE PUBLIC

38. If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that they be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

ELECTION OF MAYOR DESIGNATE

39. At the Council Meeting prior to the Annual Meeting, the Mayor designate shall be appointed for the forthcoming year.

VOTING

40. **Voting shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show how each Councillor present and voting gave their vote.**
41. Any member may request immediately after a vote has been taken that the minutes record the way they cast their vote.
42. Subject to Standing Order 16 and 17 the Mayor may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not they gave an original vote.

Before an original or substantive motion is put to the vote, the Mayor shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.

OFFICE HOLDERS OF THE COUNCIL

43. The office holders of the Council shall be:
 - a. The Mayor, who shall act as the Chair of meetings of the Council and carry out civic duties as required.
 - b. The Deputy Mayor, who shall deputise for the Mayor in the Mayor's absence.
 - c. The Leader of the Council.
 - d. The Deputy Leader of the Council, who shall deputise for the Leader in the Leader's absence.

MOTIONS

44. Every motion shall be relevant to some matter in relation to which the Council has some power or duty or which affects its area.

MOTIONS WHERE WRITTEN NOTICE IS REQUIRED

45. 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.
46. Except as provided by Standing Order 55 , no motion may be proposed unless the proposer has given notice in writing delivered to the Town Clerk at the Council Offices at least five working days before the next meeting of the Council excluding the day of submission and the day of the meeting.

47. The Town Clerk shall date every notice of motion when received, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.
48. The Town Clerk shall insert in the summons for every meeting all notices of motion properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that they intend to propose it at some later meeting or that they withdraw it.
49. The Proper Officer may, before including a motion on the agenda received in accordance with Standing Order 46, correct obvious grammatical or typographical errors in the wording of the motion with the agreement of the proposer.
50. If the proposed motion is agreed to be improper, the proposer shall be given the opportunity to re-word the motion.
51. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final. Motions rejected shall be recorded in the motions book with an explanation by the Proper Officer of the reason for the rejection. On the agenda there should be a note that a motion has been rejected with a brief explanation.
52. A motion when notice is given shall be proposed, published and seconded before it is debated.
53. If a motion specified in the summons is not proposed, either by the member giving it or by some other member on their behalf, it shall, unless postponed by the Council, be treated as withdrawn and shall not be proposed without fresh notice.
54. If the subject matter of a motion comes within the competence of a Committee of the Council, it shall, upon being proposed and seconded, stand referred without discussion to such Committee or to such other Committee as the Council may decide for report; provided that the Mayor, if they consider it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was proposed.

MOTIONS THAT DO NOT REQUIRE WRITTEN NOTICE

The following motions may be moved at a meeting without written notice to the Proper Officer:

55. Motions dealing with the following matters may be proposed without notice:
 - a. To appoint a Chair of the meeting – a person to preside at a meeting.
 - b. Relating to the accuracy of the minutes.
 - c. To approve the minutes.

- d. To alter the order of business on the agenda.
- e. To move to a vote.
- f. To proceed to the next business on the agenda.
- g. To close or adjourn the debate.
- h. To refer a matter to a Committee or working group.
- i. To appoint a Committee or any member thereof occasioned by an item included in the summons to the meeting.
- j. To adopt a written report.
- k. To authorise the sealing of documents.
- l. To amend a motion.
- m. To defer consideration of a motion.
- n. To give leave to withdraw a motion or an amendment.
- o. To extend the time limit for speeches.
- p. To exclude the public under Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960.
- q. That a member named under Standing Order 85 to 87, Disorderly Conduct, be not further heard.
- r. To give the consent of the Council where such consent is required by these Standing Orders.
- s. That the Council debates immediately a motion brought before it under Standing Orders 46 to 54.
- t. To suspend Standing Orders in accordance with Standing Order 89 to allow an open discussion outside the normal rules of debate.
- u. To temporarily suspend the meeting.
- v. To close the meeting.

CLOSURE MOTIONS

56. A member, who shall not have taken part in the debate, may propose without comment at the conclusion of a speech of another member "That the Council proceed to the next business", "That the question be now put", "That the debate be now adjourned", or "That the Council do now adjourn", on the seconding of which the Chair shall proceed as follows:
- a. On a motion to proceed to the next business; unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, they shall first give the proposer of the original motion the right to reply, and then put to the vote the motion to proceed to the next business.
 - b. On a motion that the question be now put; unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, they shall first put to the vote the motion that the question be now put, and if it is passed then give the proposer of the original motion the right of reply under Standing Order 79 before putting the motion to the vote.
 - c. On a motion to adjourn the debate or the meeting; if in the Chair's opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion they shall put the adjournment motion to the vote without giving the proposer of the original motion the right of reply on that occasion.
57. If any motion proposed under Standing Orders 46 to 54, would, in the opinion of the Chair, if carried substantially increase the expenditure upon any service which is under the management of, or reduce the revenue at the disposal of any Committee, or would involve capital expenditure, it shall, when proposed and seconded stand adjourned without discussion until such time as any Committee affected by it and the Finance and General Purposes Committee has reported on the matter.

QUESTIONS

58. A member may ask the Leader of the Council any questions concerning the business of the Council. Any such questions shall be put when the item "Questions to the Leader" on the agenda is reached.
59. A member may ask the Chair of a Committee any question upon the minutes or report of the Committee then before the Council if the question is put before the Council's consideration of those procedures is finished.
60. Every question shall be put and answered without discussion, and no debate shall be allowed thereon.
61. Where the reply cannot conveniently be given orally under Standing Order 58, it shall be deemed a sufficient reply if given in writing and circulated to members with the minutes of the meeting at which the question was asked.

DRAFT MINUTES

62. The minutes of a meeting shall contain an accurate record of the following:
 - i. The time and place of the meeting
 - ii. The names of the Councillors who are present and the names of Councillors who are absent
 - iii. Interests that have been declared by Councillors and non-councillors with voting rights
 - iv. The grant of dispensations (if any) to Councillors and non-councillors with voting rights
 - v. Whether a Councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered
 - vi. If there was a public participation session
 - vii. The resolutions made.
63. The Chair shall propose that the minutes of the Council be approved as a correct record and seek a seconder. As the draft minutes of a preceding meeting have been served on Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
64. The Chair shall go through the minutes to allow members to raise any points of accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with Standing Order 55b.
65. No motion or discussion shall take place upon the minutes except upon their accuracy.
66. The accuracy of draft minutes, including any amendment (s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
67. The Mayor or Chair shall sign the minutes.

If the Mayor or Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:
“The Chair of this meeting does not believe that the minutes of the meeting of the () held on (date) in respect of () were a correct record but this view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings. “
68. The Mayor or Chair shall then page through the minutes for questions to the Chair as to the progress of any item.

RULES OF DEBATE

MOTIONS AND AMENDMENTS

69. A motion or amendment shall be proposed and seconded before it is debated. If the Chair so requires it shall be put into writing. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.

A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

SECONDER'S SPEECH

70. A member when seconding a motion or amendment may, if they then declare an intention to do so, reserve their speech until a later period of debate.

ONLY ONE MEMBER TO STAND AT A TIME

71. A member when speaking shall stand and address the Mayor. If two or more members rise, the Mayor shall call on one to speak; the other or others shall then sit. While the member is speaking the other member shall remain seated, unless rising to a point of order or in a personal explanation.

CONTENT AND LENGTH OF SPEECHES

72. A member shall direct their speech to the question under discussion or to a personal explanation or to a point of order. No speech shall exceed five minutes except by consent of the Council.

WHEN A MEMBER MAY SPEAK AGAIN

73. Unless permitted by the Mayor, a member who has spoken on any motion shall not speak again whilst it is the subject of debate, except:
- a. To speak once on an amendment proposed by another member.
 - b. If the motion has been amended since they last spoke, to propose a further amendment.
 - c. Subject to Standing Order 79, a Councillor may not speak further in respect of any one motion except to speak once on an amendment proposed by another Councillor or to make a point of order or to give a personal explanation.
 - d. In exercise of a right of reply given by Standing Order 79.
 - e. On a point of order.

- f. By way of personal explanation.

AMENDMENTS TO MOTIONS

- 74. An amendment shall be relevant to the motion and shall:
 - a. Refer a subject of debate to a Committee for consideration or reconsideration.
 - b. Leave out words.
 - c. Leave out words and insert or add others.
 - d. Insert or add words.

But such omission, insertion or addition of words shall not have the effect of introducing a substantially new proposal into, or of negating the motion before the Council.

- 75. Only one amendment may be proposed and discussed at a time and no further amendment shall be proposed until the amendment under discussion has been disposed of. Providing that the Mayor may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Council's business.
- 76. If an amendment be lost, other amendments may be proposed on the original motion. If an amendment be carried, the motion, as amended, shall take the place of the original motion and shall become the motion upon which any further amendment may be proposed.

ALTERATION OF MOTIONS

- 77. The proposer of a motion may, with the consent of the seconder, and of the Council signified without discussion:
 - a. Alter a motion of which they have given notice.
 - or
 - b. Alter a motion, which they have proposed.

if (in either case) the alteration is one which could be made as an amendment thereto.

WITHDRAWAL OF A MOTION

- 78. A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

A motion on the agenda that is not moved by its proposer, or by some other member on their behalf, may be treated by the Mayor as being withdrawn.

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.

RIGHT OF REPLY

79. The proposer of a motion shall have a right of reply immediately before the motion is put to the vote. If an amendment is proposed, the proposer of the original motion shall also have a right of reply at the close of the debate on the amendment, and shall not otherwise speak on the amendment. The proposer of the amendment shall not have a right of reply to the debate on the amendment. A member exercising a right of reply shall not introduce new matter.

POINT OF ORDER

80. A member may rise on a point of order or in personal explanation, and shall be entitled to be heard forthwith.
81. A point of order shall relate only to the alleged breach of a Standing Order or statutory provision and the member shall identify the Standing Order or statutory provision and the way in which they consider it has been broken.
82. A personal explanation shall be confined to some material part of a former speech, which may appear to have been misunderstood in the present debate.
83. The ruling of the Chair on a point of order and on the admissibility of a personal explanation shall not be open to discussion.

RESPECT FOR THE MAYOR

84. Whenever the Mayor rises during a debate a member then standing shall resume their seat and the Council shall be silent.

DISORDERLY CONDUCT AT MEETINGS

85. **All Councillors shall observe the Code of Conduct adopted by the Council, a copy of which is annexed to these Standing Orders.**
86. No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
87. If, in the opinion of the Chair, a member has broken the provisions of Standing Order 86, the Chair shall express that opinion to the Council and seek their agreement to adjourn the meeting. Any member may propose that the member

named be no longer heard, and the motion, if seconded, shall be put forthwith and without discussion.

88. If the resolution made under Standing Order 87 above is ignored the member may be excluded from a meeting if the meeting passes a resolution to exclude the person disrupting the meeting. If the member refuses to leave, the Chair may suspend or adjourn the meeting.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

89. Any or every part of the Standing Orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
90. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Council.

RESCISSION OF PREVIOUS RESOLUTION

91. A decision of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least five members of the Council, or by a resolution proposed in pursuance of the report or recommendation of a Committee.
92. When a special resolution or any other resolution proposed under the provisions of Standing Order 91 has been disposed of, no similar resolution may be proposed within a further six months.

VOTING ON APPOINTMENTS

93. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes are given in favour of one person. Any tie may be settled by the Chair's casting vote.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

94. If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council or the Committee has decided whether or not the press and public shall be excluded pursuant to Standing Order 113.

SECTION 2: COMMITTEES, SUB-COMMITTEES AND WORKING GROUPS

95. **Unless the Council determines otherwise, a Committee may appoint a sub-committee or Working Group whose terms of reference and members shall be determined by the Committee.**
96. **The members of the Committee or Working Group may include non-councillors unless it is a Committee which regulates and controls the finances of the Council. Non-councillors shall not have a vote.**
97. The agenda for Committee meetings shall be sent to all Council members, such members of the press who request notification of meetings, and advertised on public notice boards or otherwise in such a way as to draw it to the attention of the public, in accordance with Standing Order 118 although failure to comply with this Standing Order shall not invalidate the proceedings of the Committee.

STANDING ORDERS OF THE COUNCIL THAT APPLY TO COMMITTEES AND SUB-COMMITTEES

98. Where a Standing Order relating to the function of Council applies to a Committee or sub-Committee the following definitions exist:
 - a. references to the Council mean the Committee or sub-Committee;
 - b. references to the Leader of the Council or the Mayor shall mean the person chairing the Committee.
99. The following Standing Orders shall apply to committees and sub-committees.
 - a. Standing Order 6 (Code of Conduct)
 - b. Standing Order 20 (Chair of meetings)
 - c. Standing Orders 24 and 25 (Extraordinary meetings of the Council and Committees and sub-Committees)
 - d. Standing Orders 30 to 32 (Public participation)
 - e. Standing Orders 55 to 57 (Motions which may be proposed without notice, closure motions and motions on expenditure)
 - f. Standing Orders 62 to 67 (Minutes)

- g. Standing Order 69 to 88 (Rules of debate) with the exception of Standing Order 71 (Only one member to stand at a time) Standing Order 73 (When a member may speak again)
- h. Standing Orders 113 to 114 (Admission of the public and press to meetings.)

MEMBERSHIP OF COMMITTEES

100. The Council may, at its Annual Meeting, appoint members to standing Committees and may at any other time appoint such other Committees as may be necessary, and:
- a. shall determine their terms of reference.
 - b. shall determine the number and time of the ordinary meetings of a standing Committee for the year
 - c. 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.
 - d. may appoint substitute Councillors to a Committee whose role is to replace ordinary Councillors at a meeting of a Committee if ordinary Councillors of the Committee have confirmed to the Proper Officer by noon on the day of the meeting that they are unable to attend.
 - e. an ordinary member of a Committee who has been replaced at a meeting by a substitute member (in accordance with Standing Order 100d above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting.
 - f. may in accordance with Standing Orders, dissolve a Committee at any time.
 - g. Shall, as far as practicable and without reference to Standing Order 104 appoint members to each Standing Committee in proportion to the number of Councillors in each group to which they affiliate in relation to the total number of seats on standing Committees. Single members shall be similarly appointed.

QUORUM OF COMMITTEES

101. Except where ordered by the Council in the case of a Committee or by the appropriate Committee in the case of a Sub-Committee, the quorum of a Committee or Sub-Committee shall be one-half of its voting members.
102. Examples of a half of the members of a Committee are: a half of seven is four, and a half of five is three.

103. If a quorum is not present or if during a meeting the number of Councillors present falls below the required quorum, Standing Order 29 shall apply.

EX OFFICIO MEMBERS OF COMMITTEES

104. The Leader of the Council or deputy shall be an ex officio member without voting rights on all Standing Committees.

ELECTION OF COMMITTEE CHAIR

105. Every Committee shall at its first meeting before proceeding to any other business elect a Chair, and may elect a Vice-Chair, who shall hold office until the next Annual Meeting of the Council.

VOTING IN COMMITTEES

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

107. **In case of an equality of votes the Chair of a Committee or of a Sub-Committee shall have a second or casting vote.**

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

108. A member who has proposed a motion, which has been referred to any Committee, of which they are not a member, may attend to explain their motion to the Committee but shall not vote thereon. The Committee may at their discretion invite the Councillor to participate in the debate on that item.

109. Any Council member shall be entitled to be present as a spectator at the meeting of any Committee or Sub-Committee of which they are not a member even if members of the public have been excluded by means of a resolution under Standing Order 113.

110. A Councillor may address a Committee on any item on the agenda.

SCHEME OF DELEGATION TO COMMITTEES

111. Standing Committees will conform to terms of reference which will be reviewed at the Annual Meeting at the start of the civic year.

CO-OPTION TO COMMITTEES

112. The Chair of a Committee or Sub-Committee with the agreement of its members, may invite any person, whose special knowledge might aid the Committee in making its decisions to attend its meetings and to take part in its discussion on that subject, but that person shall not have voting rights.

SECTION 3: ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

113. **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.**
114. **In accordance with Standing Order 113 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.**

RECORDING OF MEETINGS

115. **Subject to Standing Order 113, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
116. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

SECTION 4: PROPER OFFICER AND RESPONSIBLE FINANCE OFFICER

117. **The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) 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 Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.**
118. **The Council's Proper Officer shall do the following:**

At least three clear working days before a meeting of the Council, a Committee or a sub-Committee,

- a. Serve on Councillors by delivery or post at their residences or by email (provided the Councillor has consented to service by email) authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda**

and

- b. Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them.)**
- c. Convene a meeting of Council for the election of a new Mayor occasioned by a casual vacancy.**
- d. Make available for inspection the minutes of meetings.**
- e. Receive and retain copies of relevant byelaws made by other local authorities.**
- f. Hold Declarations of Acceptance of Office from Councillors.
- g. Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- h. Keep proper records required before and after meetings.
- i. Process all requests made under the Freedom of Information Act 2000 and the General Data Protection Act 2018, in accordance with and subject to the Council's procedures relating to the same.
- j. Liaise as appropriate, with the Council's Data Protection Officer.
- k. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- l. Assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (eg. The Limitation Act 1980).
- m. Retain custody of the seal.
- n. Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.
- o. Arrange or manage the prompt administration, approval, and instruction regarding any payments to be made by Council in accordance with its financial regulations.
- p. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose.
- q. Manage access to information about the Council via the publication scheme

r. Arrange for legal deeds to be executed.

119. The Council shall appoint an appropriate staff member (s) to undertake the work of the Responsible Finance Officer when the Responsible Finance Officer is absent.

SECTION 5: DELEGATION OF URGENT AND ROUTINE MATTERS

120. There shall be delegated to the Town Clerk the authority to act in respect of any function of the Council on a matter, which in his or her opinion does not admit of delay. This delegated authority shall only be exercised in consultation with the Leader or Deputy Leader or Chair of the Finance and General Purposes Committee.

121. There shall be delegated to the Town Clerk and Outdoor Services Manager the authority to act in respect of any function of a Committee or Sub-Committee, which in their opinion either does not admit of delay or is routine. This delegated authority shall only be exercised in consultation with the Chair or Vice-Chair of the Committee or Sub-Committee within whose terms of reference the particular function lies.

122. Each exercise of delegated authority under this Standing Order shall be reported for information to the next meeting of the Committee or Sub-Committee within whose terms of reference the particular function lies or to Council.

123. The Town Clerk shall notify Councillors of any action taken under this Standing Order.

124. The delegations in the Standing Orders in *SECTION 5: DELEGATION OF URGENT AND ROUTINE MATTERS* is in addition to and without prejudice to the powers of the Council or its Committees to arrange for the discharge of any of its functions by a sub-Committee or an officer.

SECTION 6: CONFIDENTIAL BUSINESS

125. Councillors shall not disclose information given in confidence or which they believe, or ought to be aware, is of a confidential nature.

126. A Councillor in breach of the provisions of Standing Order 125 above may be removed from a Committee or a sub-Committee by a resolution of the Council.

SECTION 7: GENERAL POWER OF COMPETENCE

127. Before exercising the General Power of Competence (GPC), a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.

128. The Council's period of eligibility begins on the date that the resolution under Standing Order 127 was made and expires on the day of the Annual Meeting of the Council that takes place in a year of ordinary elections.
129. After the expiry of its preceding period of eligibility, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the General Power of Competence which was not completed before the expiry of the Council's preceding period of eligibility referred to in Standing Order 128.

SECTION 8: CODE OF CONDUCT AND DISPENSATIONS

130. **All Councillors - and non-councillors participating in the business of the Council - shall observe the Code of Conduct adopted by the Council.**

Unless they have 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. They may return to the meeting after the matter has been considered.

Unless a dispensation has been granted, a Councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's Code of Conduct. They may return to the meeting after the matter has been considered.

Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

A decision as to whether to grant a dispensation shall be made (by the Proper Officer OR (by a meeting of the Council, or Committee or sub-Committee for which the dispensation is required) and that decision is final.

A dispensation request shall confirm:

1. The description and nature of the disclosable pecuniary interest or other interest to which the request for dispensation relates;
2. Whether the dispensation is required to participate at a meeting in a discussion only or at a discussion and a vote;
3. The date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
4. An explanation as to why the dispensation is sought.

A dispensation request should be resolved before the meeting.

A dispensation may be granted in accordance with Standing Order 130 if having regard to all relevant circumstances any of the following apply:

- **Without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of**

the meeting transacting the business as to impede the transaction of the business;

- **Granting the dispensation is in the interests of persons living in the Council's area; or**
- **It is otherwise appropriate to grant a dispensation.**

CODE OF CONDUCT COMPLAINTS

For further information, see the Didcot Town Council Complaints Policy.

- **Upon notification by the District or Unitary Council that a Councillor or non-councillor has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take. Such action excludes disqualification or suspension from office.**

SECTION 9: EXPENDITURE AND FINANCIAL REGULATIONS

131. Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.
132. The Council's Financial Regulations shall be reviewed once a year.
133. 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.

SECTION 10: EXECUTION AND SEALING OF LEGAL DOCUMENTS

134. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
135. **In accordance with a resolution made under the preceding Standing Order, 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.**

SECTION 11: STANDING ORDERS TO BE SUPPLIED TO MEMBERS

136. A copy of these Standing Orders and the Financial Regulations shall be supplied to each member by the Town Clerk upon delivery of the member's Declaration of Acceptance of Office and written undertaking to observe the Code of Conduct adopted by the Council.

SECTION 12: CANVASSING OF AND RECOMMENDATIONS TO MEMBERS

137. Canvassing of members or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Town Clerk shall make known this sub-paragraph of this Standing Order to every candidate.
138. A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment

Standing Orders 137 to 138 shall apply to tenders as if the person making the tender were a candidate for an appointment.

SECTION 13: INSPECTION OF DOCUMENTS

139. A member may for the purpose of their duty as such (but not otherwise) inspect any document in possession of the Council or Committee, and if any copies are available shall, on request, be supplied for the like purpose with a copy.

SECTION 14: UNAUTHORISED ACTIVITIES

140. Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, a Committee or a sub-committee:
- a. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - b. issue orders, instructions or directions.

HANDLING STAFF MATTERS

141. A matter personal to a member of staff that is being considered by a meeting of the Council or the Personnel and Administration Committee is subject to Standing Order 113.

Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

MANAGEMENT OF INFORMATION

142. **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper or electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
143. **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's Retention Policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (eg. The Limitation Act 1980)**
144. **The 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.**
145. **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

RESPONSIBILITIES TO PROVIDE INFORMATION

146. **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
147. **If gross annual income or expenditure (whichever is higher) exceeds £200,000 the Council will publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

148. **The Council shall appoint a Data Protection Officer.**
149. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning personal data.**
150. **The Council shall have a written policy in place for responding to and managing a personal data breach.**
151. **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**

152. **The Council shall ensure that information communicated in its privacy notices is in an easily accessible and available form and kept up to date.**

153. **The Council shall maintain a written record of its processing activities.**

RELATIONS WITH THE PRESS/MEDIA

Requests from the press or other media for an oral or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authorities and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on 4th April 2020.

The Regulations allow for virtual rather than physical meetings to be held until May 2021.

NB: The Financial Regulations to be reviewed in conjunction with this version of the Standing Orders.

The Media Policy and the Data Retention Policy to be reviewed as soon as possible.

Review summary

- Amended by Council 10th November 2014, minute 281 refers.
- Amended by Council 6th March 2017
- Amended by Council 5th March 2018, minute 426 refers
- Amended by F&GP 27th April 2020

To be tabled at the Mayor-making/Annual meeting on 4th May 2020 and adopted at the Council meeting on 29th June 2020.

To be reviewed at least every 2 years.

Editing

Last saved by: Janet Wheeler

Save date: 08/09/2020 11:57