



STANDING ORDERS

2018

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1. Meetings

a) Meetings of the Council shall be held at Rushden Hall at 7.30 in the evening on such dates and times as the Council may direct.

b) The Chairman of the Council may summon an additional meeting of the Council at any time. An additional meeting may also be summoned on the requisition in writing of not less than a quarter of the members of the Council.

2. The Statutory Annual Meeting

a) In an election year the Annual Town Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office and

b) In a year which is not an election year the Annual Town Council Meeting shall be held on such day in May as the Council may direct

3. **In addition to the Statutory Annual Town Council Meeting at least three other statutory meetings shall be held in each year on such dates and times as the Council may direct.**

4. Chairman of the Meeting

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

5. Proper Officer

Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases he/she shall be the Clerk :-

a) To receive declarations of acceptance of office.

b) To receive and record notices disclosing interests at meetings.

c) To receive and retain plans and documents.

d) To sign notices or other documents on behalf of the Council.

e) To receive copies of bylaws made by another local authority.

f) To certify copies of bylaws made by the Council .

g) To sign and issue the summons to attend meetings of the Council.

h) To keep proper records for all Council meetings.

i) To be responsible for monitoring the spending committee budgets.

j) To be the Council's legal adviser.

k) To be responsible for the issue of all press releases on behalf of the Council *in liaison with Chairmen of Committees/Working Parties.*

6. Role of the Mayor

The Mayor shall be the Civic Head of the Council and whilst in office shall not show any political bias. The Mayor will be Chairman of the Council.

Role of the Deputy Mayor

The Deputy Mayor shall, in the absence of the Mayor, carry out the role of the Mayor.

The Mayor and Deputy Mayor shall not be out of the country at the same time.

Role of the Leader of the Council

The Leader shall be the political head of the Council. He shall be consulted on all press releases issued on behalf of the Council.

7. Quorum of the Council

Seven members shall constitute a quorum at meetings of the Council.

8 If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may *arrange*.

9 The quorum for a committee or sub committee shall be half its members rounded up to the nearest whole number.

Voting

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

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

12 **(1) Subject to (2) and (3) below the Chairman 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 he gave an original vote.**

(2) If the person presiding at the annual meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.

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

Order of Business

13 **At each Annual Town Council Meeting the first business shall be :-**

a) To elect a Chairman of the Council

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

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

d) To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the Council which have not been received as provided by law, shall be received.

e) To elect a Vice-Chairman of the Council

f) To elect a Leader of the Council

g) To appoint representatives to outside bodies

h) To appoint committees and sub-committees

14. a) *Before commencement of any meeting, a period of no more than 15 minutes will be put aside for members of the public to raise any question on matters included on the agenda.*

b) *No member of the public shall be permitted to speak for more than two minutes.*

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

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

a) After consideration to approve the signature of the Minutes by the person presiding as a correct record.

b) To deal with business expressly required by statute to be done.

c) To dispose of business, if any, remaining from the last meeting.

d) To receive such communications as the person presiding may wish to lay before the Council .

e) To answer questions from Councillors.

f) To receive and consider reports and minutes of committees *and working parties*.

g) To receive and consider resolutions or recommendations in the order in which they have been notified.

h) To authorise the signing of documents.

17 **Urgent Business**

A motion to vary the order of business on the ground of urgency:

a) May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and

b) Shall be put to the vote without discussion.

18 Resolutions Moved On Notice

Except as provided by these standing orders, no resolution may be moved unless the business to which it relates has been put on the agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 10 clear days before the next meeting of the Council.

19 The Clerk shall date every notice of resolution or recommendation when received by him, 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.

20 The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.

21 If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

22 If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report, provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

23 Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties or which affects its area.

24 Resolutions Moved Without Notice

Resolutions dealing with the following matters may be moved without notice:-

- a) To appoint a Chairman of the meeting
- b) To correct the Minutes
- c) To approve the Minutes
- d) To alter the order of business
- e) To proceed to the next business
- f) To close or adjourn the debate
- g) To refer a matter to a committee
- h) To appoint a committee or any members thereof
- i) To adopt a report
- j) To authorise the sealing of documents
- k) To amend a motion
- l) To give leave to withdraw a resolution or amendment

- m) To extend the time limit for speeches
- n) To exclude the press and public (see standing order 67 below)
- o) To silence or eject from the meeting a member named for misconduct (see standing order 32)
- p) To give the consent of the Council where such consent is required by these standing orders
- q) To suspend any standing order (see standing order 74)
- r) To adjourn the meeting

25 Questions

A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided 3 clear days notice of the question has been given to the person to whom it is addressed

26 Every question shall be put and answered without discussion

27 A person to whom a question has been put may decline to answer

28 Rules of Debate

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

29 a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting

b) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate

c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order

d) No speech by a mover of a resolution shall exceed 2 minutes and no other speech shall exceed 2 minutes except by consent of the Council

e) An amendment shall be either:-

1) To leave out words

2) To leave out words and insert others

3) To insert or add words

f) An amendment shall not have the effect of negating the resolution before the Council

g) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved

h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved

i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding 1 minute

j) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure

k) A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him which may have been *misunderstood*

l) 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

m) When a resolution is under debate no other resolution shall be moved except the following:-

- 1) To amend the resolution
- 2) To proceed to the next business
- 3) To adjourn the debate
- 4) That the question be now put
- 5) That a member named be not further heard
- 6) That a member named do leave the meeting
- 7) That the resolution be referred to a committee
- 8) To exclude the public and press
- 9) To adjourn the meeting

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

b) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon

c) Whenever the Chairman stands and speaks during a debate all other members shall be silent and seated

31 Closure

A member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded, the Chairman shall put the motion but, in the case of a motion "that the question be now put",

only if he is of the opinion that the question before the Council has been fully debated. If the motion “ that the question be now put” is carried he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

32 Disorderly Conduct

a) All members must observe the Code of Conduct which was adopted by the Council on 15th May 2007 a copy of which is annexed to these Standing Orders

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

c) If, in the opinion of the Chairman, a member has acted in a manner contrary to that required, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

d) If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Standards Board (England) or the Local Commissioner (Wales).

e) If the motion mentioned in paragraph (c) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may be reasonably necessary to enforce them.

33 Right of reply

The mover of a resolution shall have a right of reply before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

34 Alteration of Resolution

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

35 Rescission of Previous Resolution

a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names and signatures of at least 7 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.

b) When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

36 Voting on Appointments

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 is given in favour of one person.

37 Discussions and Resolutions Affecting Employees of the Council

If at a meeting there arises any question relating to the appointment, conduct, promotion, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has decided whether or not the press and public shall be excluded. (See standing order No 66)

38 Resolutions on Expenditure

Any resolution which is moved otherwise than in pursuance of a recommendation of the Policy and Resources Committee or of another committee after recommendation by the Policy and Resources Committee and which, if carried, would, in the opinion of the Chairman substantially exceed the committee's capital or revenue budget , shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon and the Policy and Resources Committee shall report on the financial aspect of the matters.

39 Expenditure

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

40 Signing of Documents

a) A document shall not be *signed* on behalf of the Council unless its *signing* has been authorised by a resolution.

b) Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this Order may *sign*, on behalf of the Council, any document required by law to be *signed*.

41 Committees and Sub-Committees

The Council may at its Annual Town Council Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:-

a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting

b) May appoint persons other than members of the Council to any committee; and

c) May subject to the provisions of Order 35 above at any time dissolve or alter the membership of committee.

42 The Chairman and Leader ex-officio shall be voting members of every committee.

43 Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and Vice-Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.

44 Special Meeting

The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on

the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

45 Sub – Committees

Every committee may appoint sub-committees for purposes to be specified by the committee.

46 The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve

47 The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

48 Advisory Committees

1) The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.

2) The terms of reference of each advisory committee shall be written by the Clerk in consultation with the Chairman of the appointing committee.

3) The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.

4) An advisory committee may make recommendations and give notice thereof to the Council.

5) An advisory committee may consist wholly of persons who are not members of the Council.

Voting in Committees

49 Members of committees, sub-committees working parties or Panels entitled to vote, shall do so by show of hands, or, if at least two members so request, by signed ballot.

50 **Chairmen of committees, sub-committees, working parties or panels shall in the case of an equality of votes have a second or casting vote.**

51 Presence of Non-members of Committees at Committee Meetings

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

b) Any member may attend any meeting of a committee or sub-committee regardless of whether the public and press are excluded as per paragraph 66 of these standing orders but shall not be entitled to speak or vote unless a resolution as per paragraph (a) above is under consideration by the committee.

52 Duration of Meetings

No meeting of the Council or any committee, sub-committee, working party or panel shall last more than two hours unless a resolution to the contrary is passed by the meeting.

53 Accounts and Financial Statement

a) All accounts for payment and claims upon the Council shall be laid before the Policy and Resources Committee.

b) All payments must be authorised by the Policy and Resources Committee and such payments shall be certified as to their correctness by the Responsible Financial Officer.

c) All payments shall be separately included in the next schedule of payments before the Policy and Resources Committee.

54 The Responsible Financial Officer shall supply to each member as soon as practicable after 31st March in each year a statement of the income and expenditure of the Council for the completed financial year. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to the Policy and Resources Committee for formal approval before the end of *June*.

55 Estimates / Precept

a) The Council shall approve written estimates for the coming financial year at its meeting before the end of the month of January.

b) Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than December.

56 Interests

If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 15th May 2007 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

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

58 **The Clerk may be required to compile and hold a Register of Member's Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/ or as required by statute.**

59 If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Personnel Committee or the appropriate committee any such disclosure. Where relationship to a member is disclosed this Standing Order shall apply.

60 The Clerk shall make known the purpose of this Standing Order to every candidate.

61 Canvassing of And Recommendations By Members

1) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this sub-paragraph of the Standing Order to every candidate.

2) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment. When a member has such a relationship mentioned in (1) above with any candidate he shall declare this and shall withdraw from membership of the interviewing panel. The Council may choose to appoint a substitute to the panel.

62 Standing Orders 59 and 61 shall apply to tenders as if the person or representative of the body or organisation making the tender were the candidate for appointment.

63 Inspection of Documents

A member may for the purpose of his duty as such, inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

64 **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

65 Unauthorised Activities

No member of the Council or of any committee or sub-committee, working party or panel shall in the name of or on behalf of the Council:-

a) Issue any order, instructions or directions

b) inspect any premises which the Council has a right to inspect without giving prior notification to the appropriate officer.

66 Admission of The Public and Press to Meetings

The public and press shall be admitted to all meetings of the Council and its committees which may, however, temporarily exclude the public and press by means of the following resolution;

“ That pursuant to the Public Bodies (Admission to Meetings Act) 1960 the public and press be excluded on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be discussed.”

67 At all meetings of the Council or Committees, the Chairman may, with the agreement of members, at their discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting. No member of the public shall speak for more than *two* minutes.

68 The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

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

70 Confidential Business

1) No member of the Council or of any committee, sub-committee or advisory committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, committee, sub-committee or advisory committee as the case may be.

2) Any member in breach of the provisions of paragraph (1) of this standing order shall be removed from any committee, sub-committee or advisory committee of the Council by the Council.

71 Planning Applications

1) The Clerk shall ensure that a record is kept of all planning applications received

2) The Clerk shall place each application on the next available agenda for the Planning Consultative Committee.

3) The Clerk shall forward to the Local Planning Authority the comments of the Planning Consultative Committee on each planning application received.

72 Financial Matters

The Council shall consider and, when satisfied, approve Financial Regulations drawn up by the Responsible Financial Officer.

1) Such regulations shall include detailed arrangements for the following;

- a) the accounting records and systems of internal control;
- b) the assessment and management of risks faced by the Council
- c) the work of the internal auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually.
- d) the financial reporting requirements of members and local electors and
- e) procurement policies (subject to (2) below) including the setting of values for different procedures where the contract has an estimated value less than £20,000.

2) Any proposed contract for the supply of goods, services and the execution of works with an estimated value in excess of £20,000 shall be procured on the basis of a tender.

3) The Council or a Committee, is not bound to accept the lowest tender, estimate or quotation. Any tender notice shall contain a reference to the standing orders 59 and 61 regarding improper activity.

4) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

73 Code of Conduct on Complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board for England for consideration.

74 Variation, Revocation and Suspension of Standing Orders

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

75 A resolution to permanently add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

76. Standing Orders to be Given to Members

A copy of these standing orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.