

EARLEY TOWN COUNCIL
STANDING ORDERS

The Interpretation Act 1978 shall apply to the interpretation of this instrument as it applies to the interpretation of an Act of Parliament.

Meetings

1. Meetings of the Council shall be held at the place determined by the Council at 7.45 pm unless the Council otherwise decides at a previous meeting.
2. The Statutory Annual Meeting (a) in an election year shall be held on the selected day next following the fourth day after the ordinary day of elections to the council and (b) in a year which is not an election year shall be held on the selected day in May.
3. At least three other statutory meetings shall be held on the selected day in the months as agreed in the Annual Timetable approved by the Council.
4. Additional meetings shall be held on the selected day as agreed in the Annual Timetable approved by Council.

Chairman of Meeting

5. The Town Mayor, if present, will preside at all meetings of the Council. In the absence of the Town Mayor, the person presiding at a meeting may exercise all the powers and duties of the Town Mayor in relation to the conduct of the Meeting.

Proper Officer

6. Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, he shall be the Town Clerk:-

- (a) To receive declarations of acceptance of office.
- (b) To receive and record notices disclosing financial and other interests.
- (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 byelaws made by the Borough Council.
- (f) To certify copies of byelaws made by the Council.
- (g) To sign summonses to attend meetings of the Council.

Quorum

- 7. Not less than one third of the Council's current membership shall constitute a quorum.
- 8. If a quorum is not present when the Council meets or if during a meeting the number of councillors present and not debarred by reason of a declared pecuniary interest falls below the quorum, the business not transacted at the meeting shall be transacted at the next meeting or on such other day as the Town Mayor may fix.

Voting

- 9. Members shall vote by show of hands, or, if at least two members so request, by signed ballot.
- 10. (a) If a minimum of not less than four members so require, the Town Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against.

(b) A member can request that his/her

personal vote be recorded.

11. (1) Subject to (2) and (3) below the Town Mayor may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though he gave no 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 Town Mayor and Deputy Town Mayor until the end of their term of office he may not give an original vote in an election for Town Mayor.
- (3) The person presiding must give a casting vote if there is an equality of votes in an election for Town Mayor.

Order of Business

(In an election year councillors should execute Declarations of Acceptance of Office in the presence of the Council's Proper Officer before the Annual Meeting commences).

12. At each Annual Meeting the first business shall be
 - (a) To elect a Town Mayor.
 - (b) To receive the Town Mayor's Declaration of Acceptance of Office or, if not then received, to decide when it shall be received.
 - (c) To decide when any declaration of acceptance of office which has not been received as provided by law, shall be received.
 - (d) To elect a Deputy Town Mayor.

- (e) To decide what committees shall be formed to ensure the reasonable despatch of Council business.
 - (f)
 - 1. To appoint Chairmen of committees.
 - 2. To determine the composition of committees.
 - (g) To appoint School Governors and any representatives to other bodies.
 - (h) To consider the payment of any subscriptions falling to be paid annually.
 - (i) To inspect any deeds and trust instruments in the custody of the Council and shall thereafter follow the order set out in Standing Order 15.
13. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Town Mayor and Deputy Town Mayor be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.
14. In every year not later than the meeting at which the estimates for the next year are settled the Council shall review the pay and conditions of service of existing employees.
15. 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) To read and consider the Minutes, provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the

- Minutes may be taken as read.
 - (b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
 - (c) To deal with business expressly required by statute to be done.
 - (d) To dispose of business, if any, remaining from the last meeting.
 - (e) To receive such communications as the person presiding may wish to lay before the Council.
 - (f) To answer questions.
 - (g) To receive and consider reports and minutes of committees.
 - (h) To receive and consider reports from officers of the Council.
 - (i) To authorise the sealing of documents.
 - (j) To authorise the signing of orders for payment.
 - (k) To consider resolutions or recommendations in the order in which they have been notified.
 - (l) Any other business specified in the summons.
16. A motion to vary the order of business on the ground of urgency.
- (a) May be proposed by the person presiding at the meeting or by any member and, if proposed by the person presiding at the meeting, may be put to the vote without being seconded, and
 - (b) Shall be put to the vote without discussion.

Resolutions Moved On Notice

17. 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 Town Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least eight days before the next meeting of the Council.
18. The Town 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.
19. The Town 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.
20. 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.
21. 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 person presiding at the meeting, 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.

22. Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

Resolutions Moved Without Notice

23. 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 resolution.
- (l) To give leave to withdraw a resolution or an amendment.
- (m) To extend the time limit for speeches.
- (n) To exclude the public.
- (o) To silence or eject from the meeting a member named for misconduct.
- (p) To invite a member having an interest in the subject matter under debate to remain.
- (q) To give the consent of the Council where such consent is required by these Standing

- Orders.
- (r) To suspend any Standing Order.

Questions

24. A member may ask the person presiding or Chairman of Committee or the Town Clerk any question concerning the business of the Council.
25. No question not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
26. Every question shall be put and answered without discussion.
27. A person to whom a question has been put may decline to answer.

Rules Of Debate

28. 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 person presiding at the meeting.
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 person presiding at the meeting, 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 declare 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 five minutes, and no other speech shall exceed five minutes except by consent of the Council.
- (e) An amendment shall be either:-
 - (i) To leave out words.
 - (ii) To leave out words and insert or add others.
 - (iii) To insert or add words.
- (f) An amendment shall not have the effect of negating the motion 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 noted.
- (i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding five minutes.
- (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 rise to make a point of order or a personal explanation. A member rising 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:-
 - (i) To amend the resolution.
 - (ii) To proceed to the next business.
 - (iii) To adjourn the debate.
 - (iv) That the question be now put.
 - (v) That a member named be not further heard.
 - (vi) That a member named does leave the meeting
 - (vii) That the resolution be referred to a committee.

- (viii) To exclude the public and press.
 - (ix) To adjourn the meeting.
30. A member shall stand when speaking unless permitted by the person presiding at the meeting to sit on account of infirmity.
31. (a) The ruling of the person presiding at the meeting on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the person presiding at the meeting.
- (c) If two or more members rise, the person presiding at the meeting shall call upon one of them to speak and the others shall resume their seats.
- (d) Whenever the person presiding at the meeting rises during a debate all other members shall be seated and silent.

Closure

32. At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded, the person presiding at the meeting shall put the motion but, in the case of a motion "to put the question" only if he is of the opinion that the question before the council has been sufficiently 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.

Disorderly Conduct

33. (a) No member shall at a meeting persistently disregard the ruling of the person presiding at the meeting, wilfully obstruct business or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- (b) If, in the opinion of the person presiding at the meeting, a member has broken the provisions of paragraph (a) of this Order, the person presiding at the meeting 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.
- (c) If either of the motions mentioned in paragraph (b) is disobeyed the person presiding at the meeting may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

Right of Reply

34. The mover of a resolution shall have the right to reply immediately 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 new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

Alteration of Resolution

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

Rescission of Previous Resolution

36. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except by a special resolution, the written notice whereof bears the names of at least one third of members of the Council.
- (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

Voting on Appointments

37. 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.

Discussions and Resolutions Affecting
Employees of the Council

38. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, 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 public shall be excluded.

Resolutions on Expenditure

39. Any resolution which is moved otherwise than in pursuance of a recommendation of the Policy & Resources Committee or of another committee after recommendation by the Policy & Resources Committee and which, if carried, would, in the opinion of the person presiding at the meeting, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, 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 & Resources Committee shall report on the financial aspect of the matter.

Sealing of Documents

40. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

Subject to any resolution to the contrary, the Town Clerk shall be authorised to seal the document.

Committees and Sub-Committees

41. The Council may at the Annual Meeting establish 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 and
 - (b) may subject to the provisions of Standing Order 36 at any time dissolve or alter the membership of a committee.
42. The Council may appoint Members to Standing Committees at the Annual Meeting or at any other meeting of Council, should a vacancy or vacancies occur.
43. The Town Mayor and Deputy Town Mayor shall be members of every Committee.
44. Every committee shall at its first meeting before proceeding to any other business elect a Vice Chairman who shall hold office until the next Annual Meeting of the Council.
45. The Chairman of a Committee or the Town Mayor 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.

46. Every committee may appoint sub-committees and working parties for purposes to be specified by the committee.
47. 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.
48. Except where ordered by the Council in the case of a Committee, or by the Council or by the appropriate Committee in the case of a Sub-Committee, the quorum of a Committee or Sub-Committee shall be one third of its members or four Councillors whichever is the greater.
49. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Orders on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

Leaders & Deputy Leaders of Political Groups

50. (a) The names of those persons appointed as Leader and Deputy Leader by political groups shall be notified to the Town Clerk who should then report accordingly to the Town Council.
- (b) The leaders of political groups (or in their absence their respective deputies) shall be

entitled to attend any meetings, standing committees and sub-committees of the Town Council of which they are not a member and shall be entitled to propose motions at those meetings but not vote.

Voting In Committees

51. Members of committees and sub-committees shall vote by show of hands, or, if at least two members so request, by signed ballot.
52. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

Presence of Non-Members of Committees at Committee Meetings

53. (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 of Council shall, unless the Council orders otherwise, be permitted to be present at a meeting of any Committee of which they are not a member, and be permitted to speak to particular items provided that prior notice of the request to speak is given and the committee approves the request.

Interests

54. Where a Member has any interest as defined by the Localism Act 2011 and the Town Council's Code of Conduct for Councillors, that interest must be declared at all meetings where the matters being discussed, or to be discussed, affect that Member's interests.
55. Where a Member declares an interest he must conduct himself in accordance with the Code of Conduct for Councillors in force at that time.
56. The Code of Conduct for Councillors adopted by the Town Council shall form part of the Standing Orders of this Council until revoked.

The Town Clerk shall make known the purport of this Standing Order to every candidate.

Canvassing of and Recommendations by Members

57. (a) 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 the purport of this sub-paragraph of this Standing Order to every candidate.
- (b) 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.

58. The Financial Regulations of the Council shall apply to tenders as if the person making the tender was a candidate for an appointment.

Recording & Reporting of Proceedings by the
Media and General Public

59. (a) Audio and visual recordings of a meeting of the Council, Committees and other Council bodies by the general public, or the media, is permitted. It would be helpful if those wishing to record could contact the Council before the meeting so that the Council can ensure the necessary facilities are in place. The Chairman of the meeting will advise the public that the meeting is being recorded. A request to record a meeting shall only be refused if the Chairman of the meeting believe recording would disrupt the meeting. The purpose of this standing order 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.
- (b) There are no restrictions on anyone at a Council meeting using Twitter, blogs, Facebook or similar social media provided that the Chairman does not consider their actions are disrupting the proceedings of the meeting.

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

- (d) Any member of the public, or of the media, wishing to photograph or record a meeting is asked to comply with the following:
 - i) any photography or audio/visual recording takes place from a fixed position in the meeting room approved by the Chairman so as to reduce disruption to the proceedings;
 - ii) use of flash photography or additional lighting is for a limited period only during the meeting at a point in the proceeding agreed in advance with the Chairman;
 - iii) if the Chairman feels that any photography, audio or visual recording is disrupting the meeting in any way, or any pre-meeting agreement has been breached, then the operator of the equipment will stop;
 - iv) if, during the meeting, a motion is passed to exclude the press and public, because confidential or exempt information is likely to be disclosed, then all rights to record the meeting are removed and the operator of the equipment will be required to stop recording and/or photography;
 - v) if a meeting is adjourned by the Chairman then the operator of the equipment should stop any recording or

photography at the point at which the meeting is adjourned;

vi) any request made by the Chairman regarding respecting the public's right to privacy is complied with;

vii) people seated in the public seating area should not be photographed, filmed or recorded without the consent of the individuals concerned. Public notices will confirm that recording may take place and it is for the public to inform the Council, or the person recording, if they object;

viii) use must not be made of an image or recording if consent is refused by a member of the public featured in that recording or image;

ix) photographs, audio, and visual recordings should not be edited in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing the views being recorded in a way that may ridicule or show lack of respect.

(e) Notices will be displayed in the room advising the public that meetings can be recorded legally. The Chairman will also make an announcement that the meeting will be photographed and/or recorded or filmed. The Council may, on occasion, audio record meetings for minuting purposes only. The relevant Chairman will make an announcement to this effect.

(f) If a member of the public does not wish to be photographed, filmed or recorded, they should inform the Clerk in attendance at

the meeting or the Chairman of the meeting when notice is given that a request to photograph/record has been received.

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

Earley Town Council, Council Offices,
Radstock Lane, Earley, Reading, RG6 5UL.

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

- i) which meeting the request refers to;
 - ii) the name, organisation (if applicable) and contact details of the person making the request;
 - iii) what equipment it is intended will be used (to determine what facilities might be required);
 - iv) what the photographs, or audio/visual recording will be used for and /or where the information is to be published (this is helpful for the Chairman to be able to inform the public).
- (h) Any equipment required for recording purposes should be set up before the meeting starts to avoid disturbance.
- (i) If the Chairman feels the use of social

media is disrupting the proceedings the Councillor, member of the public or media representative using social media may be required to stop. If use continues the Chairman will ask the person to leave the meeting. If the person refuses to leave then the Chairman may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption.

60. (a) For any decision delegated to an Officer either expressly by Council or a Committee or by a scheme of delegation that:

- i) Grants a permission or licence.
- ii) Affects the rights of an individual.
- iii) Awards a contract or incurs expenditure which materially affects the local Council's financial position.

The decision making Officer must produce a written record as soon as practicable after taking the decision.

(b) The following decisions are not included:

- i) Routine administrative and organisation decisions.
- ii) Decisions on operational matters such as changes to services and charges.
- iii) Any written decision that is already recorded by a written record and produced (placed on the web) by virtue of other legislation.
- iv) Any decision which would be exempt or confidential e.g. that identifies an individual.

- (c) The threshold for recording decisions that materially affects the Council's financial position is set at £40,000.

Tenders

61. Where it is intended to enter into a contract exceeding an amount agreed from time to time by the Council, as stated in Financial Regulation 11.1(e), in value for the supply of goods or materials or for the execution of work or specialist services other than such goods, materials, works or specialist services are excepted, as set out in paragraph 11.1(a) of Financial Regulations, the Town Clerk shall invite Tenders from at least three firms, such firms to be taken from the appropriate Approved List.

Inspection of Documents

62. A member may for the purpose of his duty as such (but not otherwise), 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.
63. All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

Unauthorised Activities

64. No member of the Council or any committee or sub-committee, shall in the name of or on behalf of the Council

- (a) inspect any lands or premises which the Council has a right or duty to inspect; or
- (b) issue orders;

unless authorised to do so by the Council or the relevant committee or sub-committee.

Admission of The Public and Press to Meetings

65. The public shall be admitted to all meetings of the Council and its committee and sub-committees, which may, however, temporarily exclude the public by means of the following resolution, viz:

"That in view of the (special) (confidential) nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw".

(Note: The special reasons should be stated.)

66. Subject to the discretion of the person presiding at the meeting or the appropriate committee Chairman, the maximum speaking time for any non-invited guests shall be restricted to five minutes.
67. The Town Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
68. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the Council Chamber.

Confidential Business

69. (a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- (b) Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

Liaison With Borough Councillors

70. A notice of meeting shall be sent together with an invitation to attend to the Borough Councillor or Councillors for the ward.

Planning Applications

71. (a) The Town Clerk shall, as soon as it is received, record the following particulars of every planning application notified to the Council:-
- (i) the date on which it was received.
 - (ii) the name of the applicant.
 - (iii) the place to which it relates.
 - (iv) a summary of the nature of the application.
- (b) The Town Clerk shall refer every planning application to the Councillor duly appointed as Case Officer for the area, or in their absence their deputy, within 48

hours of receiving it.
Code of Conduct on Complaints

72. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended in the Code of Practice.

Variation, Revocation and Suspension of Standing Orders

73. Any or every part of the Standing Orders may be suspended by resolution in relation to any specific item of business.
74. 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.

Standing Orders To Be Given To Members

75. A copy of these Standing Orders shall be given to each member by the Town Clerk as soon as practicable after the signing and delivery to him of the member's declaration of acceptance of office.

Standing Orders first adopted by Council 21st June 2006 and subsequently amended. Most recent amendments adopted 26th November 2014.