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**STANDING ORDERS****1. Town Mayor**

- 1.1 The Town Mayor is the Chairperson of the Council.
- 1.2 The Town Mayor is the civic head of the Council, first citizen of the Town. He / She will be a symbol of the authority and an expression of social cohesion.
- 1.3 The Town Mayor will chair meetings of Full Council and, in doing so, will exercise political neutrality.
- 1.4 The Town Mayor will be elected by the Full Council at its Annual Meeting. It is however a convention of the Council that the Deputy Mayor in any year shall, if available, be put forward as Town Mayor for the following year.
- 1.5 In the event of a vacancy in the office of Town Mayor or Deputy Mayor, the Full Council may elect a successor to complete his/her term of office.

**2. Deputy Town Mayor**

- 2.1 The Full Council will appoint a Deputy Town Mayor at the time the Town Mayor is elected, who shall assume the role of the Town Mayor when the Town Mayor is not present, or unable to fulfil that function.
- 2.2 If for any reason the Town Mayor is unavailable to fulfil the role, the Deputy Town Mayor shall do so.

**3. Leader / Deputy Leader**

- 3.1 The Leader and Deputy Leader of the Council shall be elected
  - (a) In an Election year at the first Full Council meeting following the ordinary day of Elections to the Council;
  - (b) In a year which is not an Election year at the first Full Council meeting held in May;
  - (c) Whenever a vacancy arises during their term of office.
- 3.2 The Leader will have the following roles:
  - (a) Overseeing the preparation of business for Council consideration.
  - (b) To act as the liaison between the majority group (or coalition administration) of the Council and the Chief Executive Officer in indicating the priorities and programmes of the Group for inclusion in Council business and their likely reaction to new policies or projects.
  - (c) To be the first port of call for the Chief Executive Officer when an issue arises that requires a political or policy response from the Council and the issue does not naturally fall within the terms of reference of any of the standing committees.

- (d) To direct strategic policy and budget setting
- (e) To Chair the Council's Policy and Resources Committee and the Staff Sub-Committee
- (f) To initiate or approve all communications by the Council with the media.

3.3 If for any reason the Leader is unavailable to fulfil the role, the Deputy Leader shall do so.

#### **4. Proper Officer**

4.1 Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council s/he shall be the Chief Executive Officer.

#### **5. Responsible Finance Officer / Financial Regulations**

5.1 One Officer will be defined as the Responsible Financial Officer (RFO).

**The separately defined Financial Regulations (which include the tender process and sign off limits) are an integral part of these Standing Orders.**

#### **6. Committees and Sub-Committees**

6.1 The Full Council may appoint such Committees as it considers appropriate for the purpose of discharging any of its functions, except for the issuing of a precept.

6.2 Every Committee may appoint Sub-Committees for purposes to be specified by the Committee.

6.3 The Council:

- (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 which does not exercise financial powers and such persons shall have no voting rights; and
- (c) May at any time dissolve or alter the membership of a Committee.

6.4 The Leader of the Council and Deputy Leader of the Council are ex-officio members of the Policy and Resources Committee, The Community Services Committee and the Civic Pride, Arts and Leisure Committee.

6.4.1 The Council may appoint The Leader of the Council and Deputy Leader of the Council to the Planning and Highways Committee or as substitutes for the Committee.

6.5 Chairpersons of all principal Committees shall be members of the Policy and Resources Committee.

- 6.6 The Chairperson and Vice-Chairperson of a Committee shall be members of every Sub-Committee appointed by it unless they signify that they do not wish to serve.
- 6.7 Membership of principal Committees is to be allocated so as to proportionally reflect the political composition of the council, including any independent members.
- 6.8 Where these Standing Orders refer to “the Council”, this is to be interpreted as meaning the Council, its Committees or Sub-Committees unless otherwise stated.
- 6.9 Meetings of the Council’s Committees and Sub-Committees have the full authority of the Council within their scheme of delegation, as set out in Standing Order 30.

## 7. Meetings

- 7.1 Meetings of the Council are meetings of the Full Council, its Committees or Sub Committees. The Full Council is a meeting of all members of the Council.
- 7.2
  - (a) Meetings of the Council shall be held at the Town Hall, Market Place, Newbury at 7.30 p.m. unless otherwise decided at a previous meeting or by the Chairperson and stated in the summons.
  - (b) Smoking, including electronic cigarettes, is not permitted at any meeting of the Council or in any of its buildings or facilities.
- 7.3 In addition to the Annual Meeting, not less than three additional meetings of the Full Council shall be held each year on such days as the Council may determine.
- 7.4 The Chairperson of any Committee or the Town Mayor may summon an additional meeting of the Council/that Committee at any time. An additional meeting shall also be summoned on the requisition in writing of no less than 2 members of the Council or any Committee. The summons shall set out the business to be considered at the additional meeting and no other business shall be transacted at that meeting. In the event of the Chairperson not calling an extraordinary meeting within 7 days of receiving the request, the 2 members may call an extraordinary meeting.
- 7.5 The agenda of each meeting is issued by the proper officer to each participating Councillor, in consultation with the Chairperson, not less than 3 clear days before the date of the meeting.
- 7.6 A Councillor ceases to be a member of the Council if he/she fails throughout a period of six months to attend any meeting of the Council unless his/her absence was due to some reason approved by the Council. Such approval must be by resolution of the Council and before the expiry of the six month period.
- 7.7 Approval may be given by the Council to a prolonged absence, in advance (for example, maternity leave)

- 7.8 The responsibility for ensuring that a member of Council does not vacate his/her office through continuous failure to attend meetings rests entirely with that councillor and no-one else.
- 7.9 Non-attendance at Council meetings will be recorded either as an apology or as being absent.

## **8. Annual Meeting**

- 8.1 In an election year Councillors shall execute Declarations of Acceptance of Office in each other's presence, or in the presence of the Chief Executive Officer, previously authorised by the Council to take such declaration, before the Annual Meeting commences.
- 8.2 The statutory Annual Meeting (a) in an Election year shall be held on the Sunday 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 such a day in May as the Council may determine.
- 8.3
- (a) Subject to (b) and (c) 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/she gave no original vote.
  - (b) 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, s/he may not give an original vote in an election for Town Mayor.
  - (c) The person presiding must give a casting vote whenever there is an equality of votes in an election for Town Mayor.
- 8.4 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 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 elect a Deputy Town Mayor and receive his/her declaration of acceptance of office.
  - (e) At any meeting where there is no chair or deputy chair present, the meeting may elect a member to preside at that meeting.

And shall thereafter follow the order set out in Standing Order 12.3.

## **9. Quorum**

- 9.1 At meetings of the Full Council eight members shall constitute a quorum.

- (a) Except where ordered by the Council in the case of a Committee, or by the Council or the parent Committee in the case of a Sub Committee, the quorum of a Committee or Sub Committee shall be one-half of the permitted maximum number of its members.
- (b) The permitted composition of Committees and Sub-Committees is shown below:

	Members		Named Substitutes	
	Maximum	Minimum	Maximum	Minimum
Committee	12	8	6	4
Sub-Committee	6	4	4	2

- 9.2 If a quorum is not present when the Council meets or, if during a meeting the numbers of Councillors present and not debarred by reason of a declared interest falls below quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairperson may fix, subject to statutory notice provisions.

## 10. Named Substitutes

- 10.1 (a) All members of Committees and Sub-Committees may nominate another Councillor from the named substitute list to act as substitute for him/her. The substitute Member will have full rights to discuss the business put before the Committee or Sub-Committee and vote thereon.
- (b) Named substitutes who attend Committee meetings but have not been nominated as above will at the discretion of the Chairperson have full rights to discuss the business put before the Committee or Sub-Committee but will not be able to vote.
- (c) Members are to inform the Chief Executive Officer's Office of their intended absence and any substitute they wish to nominate before the commencement of the Committee or Sub-Committee meeting.

## 11. Presence of Non-Member of Committees at Committee Meetings

- 11.1 Any Council Member shall be entitled to be present at any meeting of any Committee or Sub Committee of which s/he is not a Member, except meetings of the Staff Sub Committee. Any Member so attending will at the discretion of the Chairperson have full rights to discuss the business put before the Committee or Sub-Committee but will not be able to vote. However, should the Committee or Sub-Committee resolve to exclude the press and the public, such members shall also be excluded, unless the Member's advice or assistance is needed, in which case they may be invited (by name) to remain after the exclusion resolution is passed.

## 12. Order of Business

- 12.1 (a) With the exception of the Policy & Resources Committee and the Staff Sub Committee, every Committee and Sub-Committee shall at its first meeting after the Annual Meeting, before proceeding to any other business, elect a Chairperson and Vice-Chairperson who shall hold office until the next Annual Meeting of the Council.
- (b) If at any Committee or Sub-Committee meeting neither the Chairperson nor the Vice-Chairperson can be present, the Committee should, as its first item of business, elect a Chairperson.
- (c) The Leader of the Council, or the Deputy Leader in their absence, shall preside over the meeting until a Chairperson is elected.
- 12.2 Every year, not later than the meeting at which the budget is set, the Council shall review the Pay and Conditions of Service of existing employees (see Standing Order 13).
- 12.3 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 receive apologies for absence;
- (b) To receive any declarations of interest;
- (c) To note any relevant dispensations
- (d) To read and consider the minutes; provided a copy has been circulated to each Member no later than the day of issue of the summons to attend the meeting, the minutes may be taken as read;
- (e) After consideration, to approve the signing of the minutes as a correct record by the person presiding;
- (f) To answer questions and /or receive petitions from members of the public;
- (g) To answer questions and /or receive petitions from Members;
- (h) To deal with business expressly required by statute to be done;
- (i) To dispose of business, if any, remaining from the last meeting;
- (j) To receive such communications as the person presiding may wish to lay before the Council, e.g. a petition;
- (k) To receive and consider reports, and minutes of Committees;
- (l) To receive and consider reports from Officers of the Council;
- (m) Any other business specified in the summons (except as provided in Standing Order 17).
- 12.4 A motion to vary the order of business on the ground of urgency may be proposed by the Chairperson or by any Member and if seconded shall be put to the vote.

**13. Admission of the Public and Press to meetings**

13.1 The public and press shall be admitted to all meetings of the Council, which may, however, temporarily exclude the public and press by means of a resolution based on the following:

“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 and press be temporarily excluded and they are instructed to withdraw.”

(Note: The special reasons should be stated and recorded in the minutes. If a person’s advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed).

13.2 The Chief Executive Officer shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

13.3 If a member of the public interrupts the proceedings at any meeting, the Chairperson may, after warning, order that s/he be removed from the Council Chamber.

13.4 At the Chairperson’s discretion, members of the public shall be allowed to attend the meeting to (a) make representations, (b) answer questions or (c) give evidence relating to the business to be transacted.

**14. Confidential Business**

No member of the Council shall disclose to any person not a Member of the Council any business declared to be confidential by the Council. Any Member in breach of this Standing Order may be removed from any Committee or Sub-Committee of the Council by the Council. The Council may also refer the matter to the Council’s Monitoring Officer for consideration.

**15. Discussions and Resolutions affecting employees of the Council**

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 has decided whether or not the public shall be excluded (see Standing Order 13)

**16. Questions**

16.1 A Member may ask the Chairperson or the Chief Executive Officer any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins in accordance with the following provisions:

- (a) The time allotted for Members’ questions shall not exceed 20 minutes;
- (b) Questions not answered within that period will receive a written reply.



- 16.2 Members of the public shall have the right to ask questions on any matter concerning the business of the Council for 20 minutes of any meeting at the discretion of the Chairperson of that meeting. Questions not answered within that period will receive a written reply. In such cases, the Chairperson of the meeting will invite the member of the public to ask the question, as submitted.
- 16.3 Notification in writing, by post fax or electronic mail, of all questions must be received by the Chief Executive Officer three working hours before the start of the meeting at which the question is to be asked. In the case of meetings scheduled to start at 7.30 pm, notification must be received by 2.00 pm on the day of the meeting.
- 16.4 No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- 16.5
- (a) Every question shall be put and answered without discussion
  - (b) A person to whom a question has been put may decline to answer.
  - (c) One supplementary question may be put if it is relevant to the answer to the original question.
  - (d) A written reply will be given where a reply cannot conveniently be given orally.
- 16.6 If any person(s) submit(s) more than one question at any meeting it will be subject to the discretion of the Chairperson as to the order in which the questions are asked, so as to be fair to other questioners, given the time limits defined in 16.1 and 16.2
- 16.7 If a person who has submitted a question is not present when the question is called, the question will not be considered at the meeting, unless the Chairperson decides that the matter is urgent. The person who submitted the question will receive a written reply and the question and a copy of the answer will be circulated to all Councillors.

## 17. Rules of Debate

- 17.1 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 Chairperson.
- 17.2
- (a) A Member, when seconding a resolution or amendment may, if s/he then declares his/her intention to do so, reserve his/her speech until a later period of the debate.
  - (b) A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a question of order.
  - (c) No speech by a mover of a resolution shall exceed five minutes, and no other speech shall exceed three minutes, except at the discretion of the Chairperson.
  - (d) An amendment shall be to alter the wording only of the extant proposal.

- (e) An amendment shall not have the effect of negating the resolution before the Council.
  - (f) 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.
  - (g) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
  - (h) The mover of a resolution or of an amendment shall have a right to reply not exceeding five minutes. The mover of a resolution shall have the right of reply immediately before the resolution is put to 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.
  - (i) A Member may, with the consent of his/her seconder, move amendments to his/her own resolution.
  - (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 a 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/her which may have been misunderstood.
  - (l) A motion or amendment may be withdrawn by the proposer, which shall be signified without discussion, and no Member may speak upon it after permission has been asked for its withdrawal.
  - (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 put now;
    - (v) That a Member named be not further heard;
    - (vi) That a Member named do leave the meeting;
    - (vii) That the resolution be referred to a Committee;
    - (viii) To exclude the public and the press;
    - (ix) To adjourn the meeting.
- 17.3 At meetings of the Full Council only, Members shall stand when speaking unless permitted by the Town Mayor to sit on account of infirmity.
- 17.4 (a) The ruling of the Chairperson on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the Chairperson.

- (c) Whenever the Chairperson speaks during a debate all other members shall be seated and silent.
- (d) Members shall be addressed in a formal manner and officers by their job title.

17.5 Where an interest has been declared by a Member which excludes them from debate and vote, or a member of the public makes representations, answers questions or gives evidence relating to the business to be transacted, the chairperson will ensure that the information gathering process concludes before debate commences.

## **18. Resolution moved on notice**

- 18.1 Except as provided by these Standing Orders, no resolution may be moved unless the Chief Executive Officer has put the business to which it relates on the agenda.
- 18.2 The Chief Executive Officer shall insert in the summons for every meeting those motions or recommendations properly given by Members.
- 18.3 No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Chief Executive Officer at least a week before the meeting.
- 18.4 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.
- 18.5 The Chief Executive Officer may, before including a motion on the agenda received in accordance with standing order 18.2 above, correct obvious grammatical or typographical errors in the wording of the motion.
- 18.6 If the Chief Executive Officer considers the wording of a motion received in accordance with standing order 18.2 above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Chief Executive Officer so that it can be understood at least a week before the meeting.
- 18.7 If the wording or subject of a proposed motion is considered improper, the Chief Executive Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- 18.8 Subject to standing order 18.6 above, the decision of the Chief Executive Officer as to whether or not to include the motion on the agenda shall be final.
- 18.9 If the 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.

**19. Resolutions moved without notice**

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

- (a) To appoint a Chairperson 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 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 an amendment;
- (m) To extend the time limit for speeches;
- (n) To exclude the public and press (see Standing Order 13);
- (o) To silence or eject from the meeting a Member named for misconduct (see Standing Order 23);
- (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 34);
- (r) To adjourn the meeting.

**20. Voting**

- 20.1 Members shall vote by show of hands. The names of Members that propose and second motions are to be formally recorded in the minutes of Council meetings, with the exception of scheduled planning items.
- 20.2 If one Member so requires, the senior officer present shall record the names of the Members who voted on any question so as to show whether they voted for or against it. Any individual Member can ask for how they have voted to be recorded.
- 20.3 Chairpersons shall in the case of an equality of votes have a second or casting vote which must be recorded in the Minutes of the meeting.
- 20.4 Where one or more persons have been nominated for any position to be filled by the Council, the Proposer and Secunder of each candidate shall be recorded in the minutes of the meeting. The Chairperson will ensure that there is an opportunity for all candidates to be nominated before any vote is taken.

- (a) Where only one person has been nominated for any position to be filled by the Council a normal resolution, with votes for and against will be made.
- (b) Where two people have been nominated for any position to be filled by the Council, Councillors present will be invited to publicly vote for their preferred candidate from those put forward (in alphabetical order of surname). The candidate who receives an absolute majority vote of those present and voting (if necessary on the casting vote of the Chairperson) will be selected.
- (c) Where more than two people have been nominated for any position to be filled by the Council, Councillors present will be invited to publicly vote for their preferred candidate from all those put forward (in alphabetical order of surname). The candidate who ultimately receives an absolute majority vote of those present and voting (if necessary on the casting vote of the Chairperson when just two candidates remain) will be selected. If no absolute majority is achieved a process of striking off the individual with least votes will be executed and a fresh vote taken, until there is an absolute majority. Where there is an equality of least number of votes, (e.g. 10/5/5 split) a separate vote will be taken on which of those with least votes to strike off, again with Chairperson's casting vote if necessary.

## **21. Rescission of previous resolution**

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 of at least eight 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.

## **22. Adjournment**

- 22.1 Any meeting may be adjourned immediately by the Chairperson of that meeting, for any reasonable length of time, for example to allow councillors to discuss problematic issues in private or because the length of the meeting has become such that effective discussion is limited.
- 22.2 Meetings should not normally continue past 10.00 pm. If however the Chairman believes that business could be concluded by 10.30 pm, a Motion under Standing Order 19.1 (s) (Motions which may be moved without Notice) must be moved and supported by a majority of those Members present. All meetings will conclude by 10.30 pm at the latest.
- 22.3 Where a meeting is adjourned, the subsequent proceedings on resumption are a part of the original meeting and the meeting can only consider the remainder of the agenda being considered before the adjournment. No new notices or agendas can be issued except in the event of proceedings being held over to another day when all Members must be notified of the date and time for resumption.

**23. Disorderly conduct**

- 23.1 No Member shall at a meeting behave in such a manner that is contrary to the Council's Code of Conduct or the Council's Standing Orders.
- 23.2 If, in the opinion of the Chairperson, a Member has contravened the Council's Code of Conduct or the Council's Standing Orders, the Chairperson shall express the opinion to the Council and thereafter any Member may move that the Member named be no longer heard or that the Member named should leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- 23.3 The Chairperson may suspend the meeting to take such steps as may be reasonably necessary to bring order to the meeting.

**24. Sealing of Documents**

- 24.1 A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution of the Council or the appropriate Committee.
- 24.2 The Council's Common Seal shall alone be used for sealing documents. It shall be applied by the Proper Officer in the presence of two Members who shall sign the document as witnesses.

**25. Interests**

- 25.1 If any Member has an interest in any matter for debate, s/he shall, while it is under consideration by the Council, act in accordance with the Code of Conduct adopted by the Council.

For interests under Appendix A of the Code of Conduct (Disclosable Pecuniary Interests), the Member must leave the room for the entire discussion, unless a dispensation has been granted under the Council's dispensation process.

For interests under Appendix B of the Code of Conduct or Financial Interests, or any other interests that the Member considers "prejudicial", the Member can remain for the information gathering section of the discussion, but must then physically move to the public gallery for the debate and vote – taking no part in that part of the discussion, unless a dispensation has been granted under the Council's dispensation process.

- 25.2 The senior officer present shall record in the minutes, particulars of any notice given by a Member or any Officer of the Council of an interest in a contract, and these shall be available during reasonable hours of the day for the inspection by any Member or any member of the public.
- 25.3 If a candidate for any appointment under the Council is to his/her knowledge related to any Member or the holder of any office under the Council, s/he and the person to whom s/he is related shall disclose the relationship in writing to the Chief Executive Officer.

A candidate who fails so to do shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Chief Executive Officer shall report to the Council or to the appropriate Committee any such disclosure.

The Chief Executive Officer shall make known the purport of this Standing Order to every candidate.

## **26. Canvassing of and recommendations by members**

- 26.1 (a) Canvassing of Members of the Council, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Chief Executive Officer shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- (b) A Member of the Council or of any Committee shall not solicit for any person appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such Member may give written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 26.2 Standing Orders 25.3 and 26.1 shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **27. Inspection of Documents**

- 27.1 A Member may, for the purpose of his/her duty as such (but not otherwise), inspect any document in possession of the Council, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- 27.2 All minutes kept by the Council shall be open for the inspection of any Member of the Council.
- 27.3 No Member of the Council 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, instructions or directions;
- unless authorised to do so by the Council.

## **28. Functions reserved to Full Council**

The Full Council reserves to itself the following functions:

- (a) It sets the precept.
- (b) It approves the borrowing of monies.
- (c) It delegates powers to Committees to carry out certain functions on behalf of the Full Council and sets and amends the Terms of References for those Committees, including the number of members and the appointment of Members to each committee as well as the quorum required for each committee meeting.

- (d) It approves the timetable of meetings for Committees and the Council.
- (e) It deals with all matters relating to elections.
- (f) It adopts and where required, approves any amendments to the Council's Standing Orders, except the Council's Financial Regulations, which are delegated to the Policy and Resources Committee.
- (g) It reviews and adopts the Council's Strategy.
- (h) It approves the end of year Accounts and Annual Return.
- (i) It elects the Leader of the Council and the Deputy Leader.
- (j) It fills Member vacancies occurring on any Committee or Council, where required.
- (k) It appoints or nominates persons to outside bodies.
- (l) At the Annual Meeting of the Council:
  - It elects the Town Mayor and the Deputy Mayor.
  - It sets the delegated powers of its Committees and appoints the Members to each Committee, in accordance with Standing Orders 29 and 30.

## **29. Appointments to Committees**

The Full Council may, at its annual meeting, appoint standing Committees and may at any other time appoint such other Committees as may be necessary, and:

- 29.1. Shall determine their terms of reference;
- 29.2. May permit Committees to determine the dates of their meetings;
- 29.3. 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;
- 29.4. 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 at least a day before the meeting that they are unable to attend;
- 29.5. May in accordance with standing orders, dissolve a committee at any time.

At meetings of Committees:

- 29.6. An ordinary member of a Committee who has been replaced at a meeting by a substitute member (in accordance with standing order 29.4 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;
- 29.7. Unless there is a Full Council resolution to the contrary, a Committee may appoint a Sub-Committee whose terms of reference and members shall be determined by resolution of the Committee.
- 29.8. Details of quorums are determined under Standing Order No. 9 and named substitutes under Standing Order No. 10.



**30. Delegations to Standing Committees and Sub-Committees of the Council**

The following are the Delegations and Terms of Reference of the Council's standing Committees and Sub-Committees:

**30.1 Policy and Resources**

Membership: 12 Councillors

Quorum: 6 Councillors

Six named substitutes

The Leader of the Council is also the Chairperson of the Policy and Resources Committee.

The Deputy Leader of the Council is also the Vice Chairperson of the Policy and Resources Committee

Members of the Committee are appointed at the Annual Meeting of the Council.

Committee vacancies occurring during the year may be filled by appointment by the Council

- (a) It is responsible for the financial, human and property resources of the Council.
- (b) It takes action on behalf of the Council on any matter not delegated to another Committee.
- (c) It determines the policies to implement the Council's strategy.
- (d) It administers any allocated budget.
- (e) It sets the membership and delegated powers of its Sub-Committees and the terms of reference of its working groups.
- (f) It approves and amends where appropriate, the Council's Financial Regulations, having first consulted the Audit Working Group.

**30.2 Planning and Highways**

Membership: 12 Councillors

Quorum: 6 Councillors

Six named substitutes

- (a) It carries out all of the Council's functions as a statutory consultee under The Local Government Planning Acts
- (b) It formulates the Council's land use planning policy.
- (c) It comments on highway issues that affect access to the Newbury town area.
- (d) It comments on licensing issues that affect Newbury town.
- (e) It administers any allocated budget.
- (f) It sets the membership and delegated powers of its Sub-Committees and the terms of reference of its working groups.

**30.3 Community Services**

Membership: 12 Councillors

Quorum: 6 Councillors

Six named substitutes

- (a) It is responsible for the maintenance of property assets and the provision of direct services to the public and for all related policy and fiscal matters.
- (b) It administers any allocated budget.
- (c) It sets the membership and delegated powers of its Sub-Committees and the terms of reference of its working groups.

**30.4 Civic Pride, Arts and Leisure**

Membership: 12 Councillors

Quorum: 6 Councillors

Six named substitutes

- (a) It exists to help promote and co-ordinate civic pride, arts & leisure facilities and activities for the community, which will also attract visitors to the town.
- (b) Promotes, supports and celebrates that civic function of the Mayor as well as other activities and functions relating to the heritage and traditions of the town.
- (c) Works with the Community Services Team in the use and promotion of the Town Hall as a major civic asset
- (d) It administers any allocated budget.
- (e) It sets the membership and delegated powers of its Sub-Committees and the terms of reference of its working groups.

**30.5 Grants Sub-Committee**

Membership: 6 Councillors

Quorum: 3 Councillors

Four named substitutes

A Sub-Committee of the Policy and Resources Committee, the Grants Sub-Committee is responsible for the award of financial support to organisations subject to legislation, such as Sections 133, 137 and 145 of the Local Government Act 1972 or Section 19 of the Local Government (Miscellaneous Provisions) Act 1976.

This is referred to hereafter as '**grant aid**' and is to be awarded in accordance with the criteria approved by the Council.

The Council is also a funding body on the Find me A Grant Scheme run by Greenham Common Trust and administers its Grants Scheme via the "findmeagrants" web portal.

Applications may be made at any time but will next be considered at a time publicised by the Town Council. The Committee will consider all valid applications created on the "findmeagrants" web portal between the last closing date for applications and the new closing date. The dates will appear on the FMAG web portal. No application will be considered twice. Applications must meet the Newbury Town Council Grant Aid Criteria published on "findmeagrants" web portal.

- (a) The Sub-Committee normally meets twice a year, in summer and winter each year. After grants have been awarded a press release will be issued and letters sent to successful applicants. The summer meeting will have the full grant aid budget available and thus the scheduled winter meeting will only take place if the complete budget is not allocated.
- (b) Grant Aid is to be allocated on merit regardless of whether it is for a capital project or not. The allocated money is not to be split between capital and small grants.
- (c) Grant aid will be advertised in the local press and to arts and leisure organisations via the Council's web site [www.newbury.gov.uk](http://www.newbury.gov.uk) and on [www.findmeagrants.org](http://www.findmeagrants.org)
- (d) In all cases the selection process will be based on a two part approach, i.e. the first part will convene in public and receive presentations if required from qualified applicants to support their applications. The purpose of this is to 'receive and consider' applications which meet the Council's criteria.
- (e) Where necessary, the Committee may resolve to convene in 'Part 2 / confidential mode' (See Standing Order 13) in order to consider confidential information relating to the applicants. Sub-Committee members will have the option of studying applications and supporting material, such as accounts and other financial information, between the first and second parts. If agreed, the two parts can be combined into one meeting, or treated as two separate meetings

### 30.6 **Donations, Grants and Contributions to Third parties and Outside Bodies**

- 30.6.1 Any proposal to donate to a third-party organisation, for each of one or several years, shall require a written presentation to the Council by that organisation followed by a resolution by the Council. The resolution shall specify the sum to be donated and its purpose, and shall apply for only one year unless otherwise stated. The Council may request further information and may direct that the presentation is heard by a particular Committee or Sub-Committee. Alternatively, the Council shall be at liberty to refuse to receive such a presentation.
- 30.6.2 In the case that the Council has approved a donation to a third-party organisation for more than one year, that organisation shall be invited to make a presentation to the Council towards the end of each year, which shall be subject to a resolution of approval by the Council. Should that invitation not be accepted, or the presentation not be approved, no further donation shall be made to that organisation without a further resolution by the Council under Standing Order 30.6.1.

**30.7 Staff Sub-Committee**

Membership: 6 Councillors

Quorum: 3 Councillors

Four named substitutes

The Leader of the Council chairs the Staff Sub-Committee.

A Sub-Committee of the Policy and Resources Committee, the Staff Sub-Committee has authority to approve appointment, recruitment and terms and conditions for all employees for the Council.

- (a) The Staff Sub-Committee reviews all employment policies for Council Staff and makes appropriate recommendations to the Policy and Resources Committee
- (b) In respect of the Chief Executive Officer & Responsible Finance Officer, to:
  - i. recommend to the Policy and Resources Committee appropriate staffing arrangements for these posts and relevant salary scales and conditions;
  - ii. provide the Town Council with related Job Description and Person Specification; and
  - iii. propose to the Town Council such recruitment and selection processes as are required for appointment to these posts
- (c) In respect of all other staff, to:
  - i. determine terms and conditions for posts established by the Town Council;
  - ii. agree and implement appropriate recruitment and selections processes for each post; and
  - iii. formally confirm appointments
- (d) The Chief Executive Officer may consult with the Sub-Committee in connection with any staffing related matter.
- (e) To oversee the Council's appraisal process
- (f) To review salary scales, terms and conditions and to make recommendations to the Policy and Resources Committee on salary scale reviews.
- (g) To review and address staff training and development needs
- (h) Termination of employment of staff and in the case of the Chief Executive officer and the Responsible Financial Officer to make recommendations to the Policy and Resources Committee
- (i) To review and make recommendations to the Policy and Resources Committee with regard to the appointed Legal / Personnel consultancy service
- (j) To review the Council's staffing budget each year, prior to the annual budget-setting process
- (k) To establish Sub-Committees and working groups, and to appoint advisers as and when necessary to assist in its work.
- (l) To act as the Council's **Grievance and Disciplinary Panel** with the necessary delegated decision making powers in relation to grievance and disciplinary issues for members of the Council's Management Team.

Meetings will be called on an ad hoc basis as required, called by the Chief Executive Officer and with notice given to the relevant employee. A minute taker will be present throughout the proceedings.

When carrying out this role the Sub-Committee will follow the procedure set out in the Town Council's Grievance and Disciplinary Procedures.

- (m) To act as the **Appeals Panel** in relation to any appeal against the decision of the Disciplinary Panel or the outcome of a Grievance.

Any Member who has been involved in the original Grievance or Disciplinary Panel shall not form part of the Appeals Panel. Additional Members may be appointed to the Appeals Panel by the Sub-Committee, in the event of a conflict of interests.

The Appeals Panel will consider any appeals against dismissal, grading, disciplinary proceedings and grievances by employees of the Council.

The Chief Executive Officer will call the meeting and notice will be given to the employee.

A minute taker will be present throughout the proceedings.

The Panel will follow the procedure set out in the Town Council's Disciplinary Procedure.

- 30.8 Each of the above standing committees and Sub-Committees may draft their own policies and procedures to enable it to effectively and efficiently carry out its delegated functions, provided they comply with the relevant provisions in these Standing Orders and do not exceed the limit of the authority delegated to them.

### **31. Delegations to the Council's Proper Officer**

- 31.1 The Chief Executive Officer has delegated authority to properly carry out such tasks as are necessary to ensure the efficient day to day management of the Council's affairs, including staff matters not covered by the Staff Sub-Committee, so far as is consistent with the requirements of any job description, instruction of the Council or its Committees.
- 31.2 The limits of expenditure under this Standing Order shall be determined by the Council's Financial Regulations.

### **32. 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 the manner recommended in Legal Topic Note 9e - Code of Practice for Local Councils in Handling Complaints; published by the National Association of Local Councils. (See appendix 1)

**33. Use of IT Equipment, including smart phones, in Council Meetings**

- 33.1 IT equipment, including smart phones, should be regarded as an automation and extension of the traditional pen-and-paper methods which Councillors have always employed. Therefore, there should be no problem in its use to support the proceedings of Council meetings, for example to collect relevant information or take notes.
- 33.2 The use of IT equipment for other purposes, for example to send or receive unrelated messages, would be a distraction from the attention which Councillors should give to the proceedings of the meeting and should not take place. The enforcement of this principle, if necessary, is at the discretion of the Chairman at the time.
- 33.3 IT equipment should not be permitted to give out any form of electronic noise, such as rings, buzzes, or clicks, which would again distract proceedings.

**34. Variation, revocation and suspense of Standing Orders**

- 34.1 Any or every part of these Standing Orders **except** those which reflect mandatory statutory requirements may be suspended by resolution in relation to any specific item of business.
- 34.2 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 Full Council.

**35. Standing Orders to be given to Members**

A copy of these Standing Orders shall be made available to each Member by the Chief Executive Officer upon declaration of the Member's acceptance of office, by sending it by email or in printed format if requested.