

RHUDDLAN TOWN COUNCIL STANDING ORDERS

1. MEETINGS.

The Annual Meeting and all other meetings of the Council, including Committee meetings shall be held at the Community Centre, Parliament St, Rhuddlan, at 7.p.m unless the Council decides otherwise at a previous meeting. Planning Applications will be available for viewing 15 minutes beforehand.

2. STATUTORY ANNUAL MEETING

- a) In an election year this shall be held on the Thursday 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 second Thursday in May or on such other date as may be determined by the Council.

3. In addition to the Annual Meeting of the Council and any meetings convened by the Mayor, or by members of the Council in accordance with Standing Order 21, meetings for the transaction of general business shall be held on the second Thursday in each month or on such other dates as may be determined by the Council. During the month of August, no meetings shall be held except as a matter of urgency.

4. At least 3 clear working days' notice of any meetings of the Council or its Committees must be given in writing setting out the place and time of the meeting. The notice of the meeting will also be displayed in the Council's Notice Board and in the Library. The notice will normally be supported by concise written reports about the items for discussion so as to provide Councillors with sufficient information to help them to make informed decisions. Verbal reports should only be used in exceptional circumstances.

5. CHAIRMAN OF THE MEETING

At a meeting of the Council the Mayor, if present, shall preside.

6. If the Mayor is absent from a meeting of the Council, the Deputy Mayor shall preside. If neither is present, the Council shall elect a Chair for the meeting.

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

(The Mayor and Deputy Mayor of the Council are ex-officio members of all committees unless they attend as members in their own right)

8. QUORUM

Five members shall constitute a quorum.

9. ORDER OF BUSINESS OF GENERAL MEETINGS OF THE COUNCIL

At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Mayor and deputy 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.

- a. Declarations of interest by Councillors.
- b. Any business required by Statute to be done before any other business.
- c. The Order of Business will be at the discretion of the Mayor.
- d. After considering the Minutes to approve the signature of the Minutes by the person presiding as a correct record.
- e. To dispose of business, if any, remaining from the last meeting.
- f. Police report
- g. The Mayor's announcements.
- h. To receive and consider reports, minutes and recommendations of Committees
- i. To review the Town Clerk's report in line with information available at the time the Agenda is circulated. Discussion by exception.
- j. To review the County Councillors' reports in line with information available at the time the Agenda is circulated. Discussion by exception.
- k. To ratify the invoices due.
- l. To discuss the decisions on Planning Applications submitted.
- m. To consider motions in the order in which notice has been received.
- n. Any other relevant business specified in the summons.
- o. Urgent business: items of business not on the agenda should not be discussed at a council meeting except, in the opinion of the chairman, it should be considered as a matter of urgency. Any such items should be brought to the attention of the chairman 24 hours ahead of the meeting but in exceptional circumstances can be brought to the chairman's attention at the beginning of the meeting and can be discussed at the discretion of the chairman.
- p. Community matters which specifically relate to the remit of the Town Council
- q. Any Other Business – Since the summons to a meeting of a council must by law specify the business to be transacted, a council cannot legally decide to take any action under the general heading of Any Other Business. However, there is no objection to exchanges of information or giving notification of important business for the next time.

- r. The chairman may agree to vary the order of business on the ground of urgency or at the request of a member.

10. NOTICES OF MOTION

Notices of every motion other than a motion which under Standing Order 12 may be moved without notice, shall be given in writing, signed by one quarter of the members of the Council giving the notice, and delivered at least 6 clear days before the next meeting of the Council, at the office of the Town Clerk, by whom it shall be dated, numbered in the order in which it is received and entered in a book which shall be open to the inspection of every member of the Council.

The Town Clerk shall set out in the summons for every meeting of the Council all motions of which notice has been duly given in the order in which they have been received, unless the member giving such notice intimated in writing, when giving it, that he/she proposes to move it at some later meeting or has since withdrawn it in writing.

If a motion thus set out in the summons be not moved either by a member who gave notice thereof or by some other member on his/her behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

If the subject matter of any motion of which notice has been duly given comes within the province of any committee or committees it shall, upon being moved and seconded, stand referred without discussion to such committee or committees, or such other committee or committees as the Council may determine, for consideration and report.

Provided that the Mayor may, if he/she considers it convenient and conducive to the despatch of the business allow the motion to be dealt with at the meeting at which it is brought forward. Every motion shall be relevant to some matter in relation to which the Council have powers or duties or which affects the town.

11. MINUTES

Minutes of the proceedings of the Council or a Committee, shall be drawn up and held in a file kept for that purpose and shall be signed at the same or next ensuing meeting of the Council, or as the case may be, at the same or any subsequent meeting of the committee by the person presiding thereat, and any minute purporting to be so signed shall be received in evidence without further proof. Every page will be initialled by the Chair.

Until the contrary is proved a meeting of the Council or a Committee thereof in respect of the proceedings whereof a minute has been made and signed shall be deemed to have been duly convened and held and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are the proceedings of a Committee, the Committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

The Mayor shall put the question that the minutes of the previous meeting of the Council be approved as a correct record.

No discussion shall take place upon the minutes, except upon their accuracy, and any questions of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Mayor shall sign the minutes.

12. RULES OF DEBATE.

A motion or amendment shall not be discussed unless it has been proposed and seconded.

A member when speaking shall address the Mayor or Chairman. If two or more members wish to speak, the Mayor or Chairman shall call on one to speak.

A member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order. No speech shall exceed five minutes except by consent of the Chairman.

An amendment shall be relevant to the motion.

Such omissions, insertions or addition of words shall not have the effect of negating the motion before the Council.

A member shall not address the Council more than once on any motion or amendment but the mover of an original motion may have the right of reply – (see clause 13 below). However, a member may speak more than once provided that he/she speak:

1. To a point of order
2. If he/she believes him/herself to be misunderstood
3. Once an amendment moved by another member
4. If the motion has been amended since he/she last spoke, to move a further amendment.

Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of, but notice of any number of amendments may be given.

If an amendment be lost, other amendments may be moved on the original motion.

If an amendment be carried, the motion as amended shall take the place of the original motion and shall be the motion on which other amendments may be moved.

The mover of a motion or an amendment rejected by the Council shall not be entitled to move further amendments on the question under discussion.

A motion or amendment may be withdrawn by the mover with the consent of his/her seconder and of the Council.

13. RIGHT OF REPLY

The mover of a motion has the right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment, and shall not otherwise speak on the amendment. However, he/she must not introduce any new material and shall confine him/herself to answering previous speakers. The mover of the amendment shall have no right of reply to the debate on his/her amendment.

14. CLOSURE

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 Chairman shall put the motion but, in the case of a motion “to put the question”, only if he/she 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/she shall call upon the mover to exercise or waive his right or 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.

15. RECISSION 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 one third of the members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee and that the resolution has been received by the Clerk within 6 working days and signed by the Clerk.

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

16. VOTING

All acts of the Council and all questions coming or arising before the Council shall be decided by a majority of the members of the Council present and voting thereon.

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

If a member so requires, the Clerk shall record the names of members who voted on any question so to show whether they voted for or against it.

Where immediately after the vote is taken by whatever means, if any member so requires there shall be recorded in the minutes of the proceedings of that meeting whether that person cast his/her vote for the question or against the question or whether he/she abstained from voting.

The Chairman 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.

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 Mayor and Deputy Mayor until the end of their term of office he/she may not give an original vote in an election for Mayor.

The person presiding must give a casting vote whenever there is an equality of votes in an election for Mayor.

Chairmen of Committees shall in the case of an equality of votes have a second or casting vote.

Voting on co-opting new members and on appointment of personnel will be by secret ballot by resolution of the Council.

17. INTEREST OF MEMBERS IN CONTRACTS AND OTHER MATTERS

All councillors shall be given a copy of the Code of Conduct at his/her acceptance of office and shall sign that he/she agrees to abide by this code.

All employees of the Council shall agree to abide by this code even though it may be assumed that this code is incorporated into the conditions and service for Town Clerks and other employees. Employees will duly sign that they agree to the code.

The Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any member or any officer of the Council of a prejudicial interest in a contract, and the book shall be open during reasonable hours of the day for the inspection of any member.

18. EXPENDITURE

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

At its first meeting, the Council will select 4 persons authorised to sign cheques for the forthcoming Year. All Councillors can be added to the Mandate should they so wish.

Bills should be itemised and the Council should refuse to consider a bill that does not set out the reasonable clarity the goods or services for which payment is demanded.

Councillors' expenses will be based on the same rate as County Councillors' rates.

19. ACCOUNTS

The Accounts of the Council shall be open to inspection by any member of the Town Council and each member may make a copy thereof or an extract therefrom.

20. ELECTION OF CHAIRMAN OF COMMITTEE.

Every committee shall, at its first meeting, before proceeding to any other business, elect a Chairman for the year, and may at any time elect a Vice-Chairman. In the absence from a meeting of the Chairman (and Vice-Chairman, if elected) a Chairman for that meeting shall be appointed.

21. SPECIAL MEETINGS OF COMMITTEES

The Chairman of a Committee or the Mayor may call a special meeting of the Committee at any time.

A special meeting shall also be called on the requisition of a quarter of the whole number of the committee, delivered in writing to the Town Clerk but in no case, shall less than three (3) members requisition a special meeting.

The summons to the special meeting shall set out the business to be considered thereat, and no business other than that set out in the summons shall be considered at that meeting.

22. QUORUM OF COMMITTEES

The quorum of each Committee shall be agreed by Committees as and when established and will be reviewed and amended by the Town Council as and when necessary.

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 that meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.

23. STANDING ORDERS TO APPLY TO COMMITTEES

The Standing Orders of the Council shall apply to Committee meetings.

24. ALLOCATION OF SPECIALIST ROLES

Specialist roles can be considered and allocated to the members in order to harness their skills and expertise in an informal support role for the chairman and the Town Clerk. These will be reviewed at the AGM or at another relevant time as determined by the chairman.

25. CONTRACTS

Where it is intended to enter into a contract exceeding £4,000 but not exceeding £10,000 in value for the supply of goods or materials or for the execution of works, the Clerk shall give at least three weeks public notice of such intention in the same manner as public notice of meetings of the Council is given.

Where the value of the intended contract exceeds £10,000, similar notice shall also be given to all the firms included in the County Council's appropriate standing approved list of contractors or if no such list is maintained then in such newspapers circulating in the district as the Council shall direct.

Notice of a contract exceeding £10,000 shall state the general nature of the intended contract and state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.

Tenders shall be opened by the Clerk and one Councillor and shall be reported by the persons who opened them to the Council or where the tenders have been sought by a Committee to that Committee.

Neither the Council nor any Committee is bound to accept the lowest tender.

If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.

Every contract in writing shall specify such arrangements for procuring the goods or materials or executing the works as it thinks fit.

26. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

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

“By virtue of the Public Bodies (Admission to Meetings) Act 1960, the press and public are excluded from discussions on the following items on the basis that disclosure thereof would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.”

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

If a member of the public interrupts the proceedings at any meeting, the Chairman of that meeting shall warn him/her. If he/she continues the interruption the Chairman shall order his/her removal from the Council chamber. In the case of general disturbance in any part of the chamber open to the public the Chairman shall order that part to be cleared.

With prior agreement of and arrangement with the Chairman, members of the public may be allowed to address the Council – to ask questions and make observations. The Chairman will determine length of such sessions.

27. ATTENDANCE AT MEETINGS

Any member shall attend any meeting of the Council’s Committees even if he/she is not a member of that committee. He/she shall be allowed to speak at the discretion of the chairman but shall not be allowed to vote.

If a member of a Committee or Working Group is unable to attend that meeting he/she may supply the chairman with written observations and questions. These may be put to that meeting at the discretion of the chairman and may be considered.

28. INSPECTION OF DOCUMENTS

A member may for the purpose of his/her 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.

All Minutes kept by the Council and by any Committee shall be open for the inspection of any member of the Council. Copies of the minutes will be made available on the Council’s website.

The Minutes of the Council shall be open to inspection by any local government elector of the Community without charge.

29. UNAUTHORISED ACTIVITIES

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 or
- c) Any Councillor who is approached by the press for comments should ensure that the press are aware that any remarks made are personal observations and not the views of the Town Council, unless authorised to do so by the Council.

30. 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 or the Committee as the case may be.

Any member in breach of the provisions of this section of Standing Orders may be removed from any Committee by the Council.

31. DISORDERLY CONDUCT

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 scandalise the Council or bring into contempt or ridicule.

If, in the opinion of the Chairman, a member has broken the provisions of this section of the Standing Orders, the Mayor 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.

If either of the motions mentioned in the above paragraph is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

When the chairman stands all those speaking shall cease.

32. COUNCIL VACANCY

In filling a casual vacancy on the Council and having gone through the legal procedures as required by Statute, the Council may co-opt a member by any means as they see fit – within legal requirements.

33. SUSPENSION OF STANDING ORDERS

Subject to paragraphs 2, 5, 6, 7, 8, 9(1), (2), (3), 16(3), (5), (6), (7), (8), 17(3), 18(1), 22(1), 25(1), (2), 27(2), of these Standing Orders, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.

A motion to suspend Standing Orders shall not be moved without notice unless there shall be present at least one half of the whole number of the members of the Council.

34. REVIEW

The Standing Orders will be reviewed one month after the annual AGM.

Electronic copies will be made available on the website

35. INTERPRETATION

The ruling of the Chairman as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.

Standing Orders reviewed 13th September 2018.