STRATFORD-UPON-AVON TOWN COUNCIL

STANDING ORDERS

The internal auditor is satisfied that the Standing Orders, together with the Financial Regulations adequately cover necessary controls. However, it is advised that both sets of regulations are read concurrently.

DEFINITIONS

In these Standing Orders:

For 'he' also read 'she'

The terms 'Council' and 'Town Council' mean the full Town Council and 'meetings of the Council or the Town Council' are to be construed accordingly

The term 'Committee' means a committee of the Town Council and, if not so stated, a sub-committee established by the Town Council or by one of its standing committees

The term 'Town Clerk' means the Town Clerk for the time being or a person appointed by the Town Clerk or the Council to act on the Town Clerk's behalf if the Town Clerk is absent or otherwise indisposed

TOWN COUNCIL (TC)

Meetings

ORDINARY MEETINGS:

TC1. **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost**

TC2. **When calculating the 3 clear days for notice of a meeting to Councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break,**

a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count (Also mandatory for Committee Meetings)

TC3. **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or by other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion** (Also mandatory for Committee Meetings)

TC4. The Statutory Annual Meeting of the Council shall be held at 12 noon in the Town Hall

TC5. All other meetings of the Council shall be held at 6.30pm unless the Council otherwise decides at a previous meeting. Mobile phones must be switched to silent

TC6. **In an election year the Annual Meeting & Mayor Making shall be held on or within 14 days following the day on which the councillors elected take office.** Unless exceptional circumstances dictate otherwise, the Annual Meeting and Mayor Making will be held on the third Friday in May

TC7. **In a year which is not an election year, the Annual Meeting of Council shall be held on such day in May as the Council may direct** and unless exceptional circumstances dictate otherwise shall be held on the third Friday in May

TC8. **In addition to the Annual Meeting & Mayor Making at least three other ordinary meetings shall be held in each year on such dates and times as the Council may direct**

TC9. **In addition to the annual meeting of the Council, other ordinary meetings may be held in each year on such dates and times as the Council may direct.**

EXTRAORDINARY MEETINGS:

TC10. a) **The Town Mayor, hereinafter called the Mayor, may call an extraordinary meeting of the Council at any time, providing notice as required by statute is given**

b) The Mayor is required to call an extraordinary meeting of the Council upon receipt of a requisition signed by six members of the Council

c) **After the requisition has been presented to the Mayor, if the Mayor refuses to call an extraordinary meeting or fails to call the extraordinary meeting within seven days (the meeting to take place within ten days), two members of the Council may convene an extraordinary meeting of the Council immediately, providing notice as required by statute is given**

The Mayor

TC11. a) **The Mayor, unless he has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting & Mayor Making until his successor is elected**

b) **In an election year, if the current Mayor has been re-elected as a member of the Council, he shall preside at the meeting until a new Mayor has been elected. He may exercise an original vote in respect of the election of the new Mayor and must give a casting vote in the case of an equality of votes**

c) The Mayor shall be elected at the Annual Meeting & Mayor Making from among the members of the Council, except in an election year when, following the election, an additional ordinary meeting will be called specifically for the Mayor to be nominated from among the members of the Council to be ratified at the Annual Meeting and Mayor Making

d) **In an election year, if the retiring Mayor has not been returned as a member of the Council, he shall preside at the Annual Meeting & Mayor Making until a successor has been elected. The retiring Mayor shall not have an original vote in respect of the election of the new Mayor but must give a casting vote in the case of an equality of votes**

e) The Deputy Mayor shall be elected at the Annual Meeting & Mayor Making from among the members of the Council, except in an election year when the Deputy Mayor will be nominated from among the members of the Council at the first meeting of Council following the election and ratified at the Annual Meeting and Mayor Making

TC12. The procedures to be followed by the Council in electing the Mayor and Deputy Mayor shall be determined by resolution of the Council

TC13. **Anything authorised to be done by, to or before the Mayor will be authorised by the Deputy Mayor if the former is absent or unable to act**

Chair of the Meeting

TC14. a) The person presiding at a meeting may exercise all the powers and duties of the Mayor in relation to the conduct of the meeting

b) Any member of the Council may question the interpretation of these Standing Orders and the Mayor or person presiding (see TC23) asked to justify their interpretation but their decision will be final

Proper Officer

TC15. Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, that person shall be the Town Clerk or nominated officer and in default of nomination, the Town Clerk:

a) **Sign and serve on councillors by delivery by post or email at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council or a meeting of a committee** and sub-committee **at least 3 clear days before the meeting**

b) **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee** or a sub-committee (**provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them)**

c) **Convene a meeting of Council for the election of a new Mayor, occasioned by a casual vacancy in his office**

d) **To receive declarations of acceptance of office**

e) To receive and record notices disclosing interests at meetings

f) To receive and retain plans and documents

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

h) **To receive copies of bylaws made by another local authority**

i) To certify copies of bylaws made by the Council

j) To sign and issue the summons to attend meetings of the council

k) To declare a 'Casual Vacancy'

l) To keep proper records of all Council meetings

TC16. Anything authorised to be done by, to or before the Town Clerk will be authorised by the Responsible Financial Officer if the former is absent or unable to act

Quorum of the Council

TC17. A minimum of one-third of the total membership shall constitute a quorum at meetings of the Council

TC18. **If a quorum is not present, or if during a meeting the number of councillors present falls below the required quorum, no business shall be transacted and the meeting shall be adjourned.** Business not transacted shall be transacted at the next meeting or on such other day as the Mayor may fix. For a quorum relating to a committee or sub-committee please refer to Standing Order C12

Voting

TC19. Members shall vote by a show of hands or, if at least two members so request, by ballot. If two or more members stand against each other in an election process, the vote will be undertaken by ballot

TC20. If a member so requires, the Clerk shall record the names of the members who voted on any question, other than by ballot, so as to show whether they voted for or against it. Such a request must be made before moving on to the next business

TC21. a) Subject to (b) and (c) below, **the Mayor may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not the Mayor gave an original vote**

b) If the Mayor or person presiding at the Annual Meeting & Mayor Making 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 may not give an original vote in an election for Mayor

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

d) In any case of an equality of votes, the Mayor may give a casting vote

Order of Business

TC22. At each Annual Meeting and Mayor Making the order of business shall be:

a) **The election of Mayor shall be the first business completed**

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

c) In the ordinary year of election of the Council, the Town Clerk will read the Returning Officer's report

d) Apologies

e) Declarations of Interest

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

g) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received

h) To move a vote of thanks to the retiring Mayor

i) To elect a Deputy Mayor

j) Appointment of Mayor's Chaplain

k) Mayor's Official Communications

l) Attendance at Council and Committee Meetings during the past civic year

m) To confirm Standing Committee Membership other than in an election year

n) To receive the Annual Report

o) To pass a vote of thanks to any staff member or honoraria personnel where appropriate, as agreed by Council

TC23. a) **At every Council meeting other than the Annual Meeting & Mayor Making the first business shall be to appoint a Chair if the Mayor and Deputy Mayor be absent, the person appointed will be from amongst those present** but will usually be the most

senior councillor present, being the member with the longest continuous service as a Town Councillor

b) To receive such declarations of acceptance of office (if any) and an undertaking to observe the Council's Code of Conduct as are required by law to be made, or if not then received, to decide when they shall be received

TC24. 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) Apologies and reason for absence which are to be recorded

b) Disclosures of interests

c) Public participation session

d) To read and consider the minutes of the Council and those of committees, forums or sub-groups: 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 be taken as read

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

f) To deal with matters arising from the Minutes

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

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

i) To receive such communications as the Mayor or person presiding may wish to lay before the Council

j) To answer questions from Councillors (SO 34 and 35)

k) To receive and consider written and verbal reports from the Town Clerk

l) To receive and consider reports of committees and advisory forums or sub-groups

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

n) To authorise the sealing of documents

Business specifically referred to in the summons (such as presentations, or the annual photograph) may be conducted within the Council Chamber but prior to the Mayor declaring the meeting open

Varying Order of Business

TC25. A motion to vary the order of business on the ground of convenience:

i) May be proposed by the Mayor or person presiding, and put to the vote without discussion and

ii) May be proposed by any member, seconded, and put to the vote following debate

Committee's Minutes in Council

TC26. i) When the minutes of a committee are on the agenda of the Town Council, the Mayor shall call upon the Chair of the Committee concerned to move their adoption

ii) Upon the minutes being so moved, the Chair shall present the minutes, referring to any recommendations requiring approval

iii) When the minutes are presented, any member of the Town Council may:

a) ask a question arising out of a minute

b) move that any minute be referred back to the relevant committee insofar as it does not relate to the exercise by the committee of its delegated powers

c) move an amendment to any recommendation contained in any such minute

iv) When all the matters arising out of the committee's minutes have been disposed of, any recommendation or decision contained in them shall be deemed to have been adopted by the Town Council unless any shall have been withdrawn, referred back or rejected by a vote of the Town Council

v) When all matters arising out of the committee's minutes have been disposed of, the chair shall move that the minutes as presented or as amended (as the case may be) shall be adopted. This motion shall not require to be seconded and shall be voted upon immediately

without discussion

vi) If there has been no opportunity for a committee to approve its minutes before they are presented to the Town Council, the term "minutes" whenever it appears shall include the draft of those minutes as presented to the Council

vii) In such a case the adoption by the Council of draft minutes shall not prevent the committee from correcting its minutes at a later date, providing that such correction does not alter any resolution or decision made by the Town Council upon them

Resolutions Moved on Notice

TC27. 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 Town Clerk not later than 5 working days before the next meeting of the Council

TC28. The Town Clerk shall date every notice of motion or recommendation when received, shall number each notice in the order in which it was received and shall enter in a book which shall be open to the inspection of every member of the Council

TC29. The Town Clerk shall insert in the summons for every meeting all notices of motion or recommendations properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that the member intends to move it at some later meeting or that the member wishes to withdraw it

TC30. If a resolution or recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice

TC31. 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; unless the Mayor considers it expedient for the matter to be dealt with at the meeting at which it was moved

TC32. 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

TC33. Resolutions dealing with the following matters may be moved without notice:

a) To appoint the Chair of the meeting if the Mayor or Deputy Mayor is not present

b) To correct the Minute

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, forum or sub-group

h) To appoint a committee and any members thereto

i) To appoint a forum or sub-group with membership thereto being open to all members of council for 5 working days and subject to the terms of reference of the sub-group concerned

j) To adopt a report

k) To authorise the sealing of document

l) To amend a motion

m) To give leave to withdraw a motion or an amendment

n) To extend the time limit for speeches

o) To exclude the press and the public

p) To silence or eject from the meeting a member named for misconduct

q) To give consent of the Council where such consent is required by these Standing Orders

r) **To suspend any Standing Order except those which are mandatory by law**

s) To adjourn the meeting

Questions

TC34. If 7 clear days' notice in writing has been given to the Town Clerk, a member may ask the Mayor, Town Clerk or Chair of any committee any question on any matter in relation to which the Council has powers or duties or which affects the town

TC35. With the permission of the Mayor, a member may put to the Mayor or the Chair of any committee any question relating to urgent business of which notice as above has not been given provided a copy of any such question shall be delivered to the Town Clerk no later than 12 noon on the day of the Council meeting

TC36. Every question shall be put and answered without discussion

TC37. The person to whom a question has been put may decline to answer, but not without explanation

TC38. An answer may take the form of:

a) a direct oral answer, or

b) where the desired information is contained in a publication of the Council, a reference is made to that publication, or

c) where a reply to the question cannot conveniently be given orally, a written answer which shall be circulated to all members of the Town Council, will be provided when available

Rules of Debate

TC39. No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Mayor

TC40. 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 Mayor be reduced to writing and handed to the Mayor before it is further discussed or put to the meeting

b) A member when seconding a resolution or amendment may reserve the right to speak on it 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 shall exceed five minutes, except by permission of the Mayor

e) An amendment shall be either:

   i) To leave out words

   ii) To leave out words and insert 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 moved

i) The mover of a resolution or an amendment shall have a right of reply

j) A member, other than the mover of a resolution, shall not, without leave of the Mayor, 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) i) A member may rise on a point of order or a personal explanation and shall be heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the way in which the member considers it has been breached. A personal explanation shall be confined to some material part of a former speech by the member which may have been misunderstood in the present debate. No new matter shall be introduced

   ii) The ruling of the Mayor on a point of order or the admissibility of a personal explanation shall be final and not open to discussion

l) When a resolution is under debate no further 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

iv) That a member named be not further heard

v) That a member named leave the meeting

vi) That the resolution be referred to a committee, sub-committee

vii) To exclude the public and the press

viii) To adjourn the meeting

TC41. During open session, a member shall stand when speaking unless permitted by the Mayor to remain seated

TC44. a) The ruling of the Mayor on a point of order or on the admissibility of a personal explanation shall not be discussed

b) Points of debate shall always be addressed through the Mayor

c) If two or more members wish to speak, the Mayor shall decide who to call upon first

d) Whenever the Mayor rises during a debate all other members shall be seated and silent

Closure

TC43. At the end of any speech a member may, without comment, move 'that the question be now put', or 'that the debate be now adjourned', or 'that the Council do now adjourn'. If such motion is seconded and if the Mayor is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), the Mayor shall put the motion forthwith. If the motion 'that the question be now put' is carried, the Mayor shall call upon the mover to exercise or waive their 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

Public Participation

TC44. Any member of the public may address the Council during Public Participation on any issue under which Council has powers or is a consultative body. This facility will normally be limited to a maximum

of three minutes per person on the subject in question up to a maximum of 15 minutes in total

TC45. With the permission and at the discretion of the Mayor, any member of the public may comment on an issue being debated by the Council in order to provide information or clarification of items relevant to the matter to be debated. This will usually occur during Public Participation but if it should prove necessary during a meeting, the Mayor or Chair must formally adjourn the meeting and suspend Standing Orders on every occasion. This facility will normally be limited to a maximum of three minutes per person on the subject being debated and limited to a maximum of 15 minutes in total

Admission of the Public and Press to Meetings

TC46. **The public and press shall be admitted to all meetings of the Council and its committees** (Standing Orders G19-21)

TC47. **In accordance with Standing Order TC3, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present**

Disorderly Conduct

TC48. a) All members must observe the new code of conduct which was adopted by the council on 29 March 2022 coming into effect on 1 May, 2022;

b) No member shall at a meeting persistently disregard the Mayor's ruling, by wilfully obstructing business, behaving irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute

c) If, in the opinion of the Mayor, a member has broken the provisions of paragraph b) of this Order, the Mayor 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 do leave the meeting, and the motion, if seconded, shall be put forth-with and without discussion

d) If the motion mentioned in paragraph c) is disobeyed, the Mayor may suspend the meeting or take such further steps as may reasonably be necessary to enforce them

e) If a member or members of the public persistently interrupt the proceedings of any meeting of the Town Council, the Mayor shall request that the person or persons remain quiet. If the offending

person/s disobeys the request, the Mayor shall suspend the meeting or take such steps as may be reasonably necessary to resume order

Right of Reply

TC49. The mover of a resolution shall have a right of 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, but shall otherwise not speak on the amendment. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion

Alteration of Resolution

TC50. A resolution put by a member may be amended by that member, subject to the consent of the seconder

Rescission of Previous Resolution

TC51. a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least nine members of the Council

b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months

c) This order shall not apply to rescinding resolutions moved in pursuance of the report or recommendation of a committee

d) At the discretion of the Town Clerk, a matter may be returned within six months if, by not doing so, Council is noncompliant with legislation, or Council was unaware of fundamental information unavailable at the time

Voting on Appointments to Committees or Organisations

TC52. Where more than two persons have been nominated for any position to be filled by 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

TC53. 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 the press and public shall be excluded (See Standing Order G18)

Sealing of Documents

TC54. (a) The Town Clerk may affix the Common Seal on Award documents being presented by the Council

(b) **The Council's Common Seal shall alone be used for sealing a deed required by law. It shall be applied by the Town Clerk in the presence of the Mayor and one other Councillor who shall sign the deed as witnesses**

(c) The Common Seal of the Council shall not be affixed to any other document unless the sealing has been authorised by a resolution of the Council or of a committee to which the Council has delegated its powers in this behalf, but a resolution of the Council (or of a committee where that committee has the power) authorising the acceptance of any tender, the purchase, sale, letting or taking of any property, the issue of any stock, the presentation of any petition, memorial, or address, the making any rate or contract, or the doing of any other thing, shall be sufficient authority for sealing any document necessary to give effect to the resolution. Every sealing of a document shall be recorded in the seal register book and signed by the Town Clerk or the Mayor

COMMITTEES (C)

C1. The Council may at its Annual Meeting & Mayor Making appoint standing committees and may at any other time appoint such other committees, sub-committees, forums and working parties as necessary, but subject to any statutory provision in that behalf:

a) Shall not appoint members of a committee, forum or working party so as to hold office later than the next Annual Meeting & Mayor Making with the exception of the Chair and Deputy Chair. They shall continue to hold office until the first meeting of the said committee in the next municipal year, other than in election year when the Chair and Deputy Chair shall hold office until the next Annual Meeting and Mayor Making.

b) May appoint non-voting persons other than members of the Council to any committee other than the Finance & Audit standing committee

c) May at any time dissolve or alter the membership of a committee, sub-committee

d) A member newly appointed to the Town Council as the result of a by-election shall normally automatically fill the vacancy on the standing committee left by the retiring member for the remainder of the Municipal Year in question

C2. All meetings of standing committees shall be held at 6:30pm unless the committee decides otherwise at a previous meeting. Mobile phones must be switched to silent

C3. The Mayor is a member of every standing committee

C4. The Deputy Mayor may serve on the Civic Heritage Committee in the year preceding their Mayoral year

C5. Every committee shall, at its first meeting before proceeding to any other business, elect a Chair and Deputy Chair. If the Chair and Deputy Chair be absent, a Chair will be appointed from amongst those present, who will normally but not necessarily be the senior councillor present, being the member with the longest continuous service as a Town Councillor

C6. The Deputy Mayor will be afforded the opportunity of serving as Chair of the Community Services and Environment standing committee prior to being appointed Mayor Elect and subsequently, the Mayor. In an election year, if the Deputy Mayor is not returned or declines the Chair, the Chair will be selected amongst the members present

C7. The immediate past Mayor will be afforded the opportunity of serving as the Chair of the Civic Heritage standing committee. In an election year, if the retiring Mayor is not returned, the opportunity of serving as Chair will be afforded to the Senior Councillor, or if declined, the Chair will be selected amongst the members present

C8 The longest serving member in a continuous term of office will be known as the Senior Councillor.

<u>Special Meeting</u>

C9. **The Chair of a committee or the 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

Sub-Committees

C10. Every standing committee may appoint sub-committees, forums, panels or working parties for purposes to be specified by the standing committee

C11. The Chair and Vice Chair of the committee shall be members of every sub-committee, forum, panel or working party appointed by it unless they signify they do not wish to serve

C12. Except when 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, forum, panel or working party, the quorum of a committee shall be one third of its members and of a sub-committee, forum, panel or working party shall be one half of its members

C13. The Standing Orders on rules of debate (except those parts relating to standing and speaking more than once) which apply to meetings of the Council (Standing Orders TC39-TC44 and TC49) and the Standing Order on interest of members in contracts and other matters shall apply to committee and sub-committee, forum, panel or working party meetings insofar as they are appropriate

Advisory Panels

C14. The Council may create advisory panels which make recommendations and give notice thereof to the Council. An advisory committee may consist wholly of persons who are not members of the Council

Voting in Committees

C15. **Members of committees and sub-committees,** forums, panels or working parties **shall vote by a show of hands or, if at least two members so request, by written ballot**

C16. **If a member so requires, the Town Clerk shall record the names of the members who voted on any question, other than by ballot, so as to show whether they voted for or against it.** Such a request will be made before moving on to the next item of business on the agenda

C17. **Chair of committees, sub-committees** forums, panels or working parties **shall in the case of an equality of votes exercise a casting vote whether or not an original vote was cast**

Presence of Non-Members of Committees at Committee Meetings

C18. If a member who has proposed a resolution, which has been referred by Council to any committee, sub-committee, forum, panel or working party on which the member does not serve, the member may attend the meeting of the committee to explain the motion and enter into the debate but shall not vote

C19. Any Council member shall be entitled to be present as an observer at the meetings of any committee or sub-committee. The Member may speak in Public Participation or at the invitation of the person presiding but will not enter into the general debate and shall not vote. Ward members shall have the right to speak at Planning Advisory Committee meetings on matters which affect their wards but shall not vote

Public Participation

C20. (a) Any member of the public may address a standing committee during Public Participation on any issue under which the Council has powers or is a consultative body. This facility will normally be limited to a maximum of three minutes per person on the subject in question up to a maximum of 15 minutes in total

(b) Any member of the public may address the Planning Consultative Committee during Public Participation on non-agenda items on matters which the Council has control or is a consultative body, subject to a time limit of three minutes per person up to a maximum of 15 minutes in total

C21. With the permission and at the discretion of the Chair of the committee, any member of the public may comment on an issue being debated by the Council in order to provide information or clarification of items relevant to the matter to be debated. This will usually occur during Public Participation but if it should prove necessary during a meeting, the Chair must formally adjourn the meeting and suspend Standing Orders on every occasion. This facility will normally be limited to a maximum of three minutes per person on the subject being debated and limited to a maximum of 15 minutes in total

Admission of the Public and Press to Meetings

C22. **The public and press shall be admitted to all meetings of the Council and its committees** (G18-20)

FINANCE (F)

Responsible Financial Officer

F1. The Council employs a dedicated Responsible Financial Officer (RFO), which is a statutory officer post

Financial Regulations

F2. (a) The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer. The Financial Regulations cannot be amended other than by resolution of the Council and **shall be reviewed once a year**

(b) **The Council's Financial Regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee,** forum, panel, or working party **or to an employee**

Resolutions on Expenditure

F3. Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance & Audit Committee or of another committee after recommendation by the Finance & Audit Committee) and which, if carried, would, in the opinion of the Mayor, substantially increase the expenditure upon any service which is under the management of the Council 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 Finance and Audit Committee shall report the financial aspects of the matters)

Expenditure

F4. Orders for the payment of money shall be authorised by resolution of the Council and signed by two members

F5. Delegated responsibilities of the Town Clerk and Chair of Standing Committees regarding authorised expenditure levels will be determined as per Terms of Reference

Payment of Accounts

F6. Every account submitted for payment shall be approved by the ordering officer, and such certification shall mean that the goods or services have been duly received, examined and approved or the work done has been completed satisfactorily, and that the price or charges are correct. Every account is then authorised for payment by the Town Clerk

F7. The Finance Officer shall prepare a schedule for payments and cheque run not exceeding a twenty-eight day period

F8. The schedule of payments shall be submitted to two members (authorised signatories on the Town Council bank account) who shall have power to request any employee or agent of the Council to appear before them and to supply any information or produce any documents relating to any account that has been presented to them for approval and payment

Estimates

F9. Estimates of income and expenditure for the forthcoming financial year shall be considered by the committees concerned in October/November each year and submitted to the Council for consideration at an appropriate meeting not later than the end of February

Standing Orders on Contracts

F10. a) **Where it is intended to enter into a contract exceeding £60,000 in value for the supply of goods or materials or for the execution of works,** it shall be procured on the basis of a formal tender and the Town Clerk shall give at least three weeks public notice of such intention by advertising in such newspapers circulating in the district as the Council or its authorised committees shall direct and, where the nature of the contract so suggests, in one or more journals circulating among such persons as undertake such contracts

b) Provided that it shall not be obligatory on the Council or on any committee exercising powers delegated by the Council to invite tenders for a contract for the supply of goods or materials or for the execution of works where effective competition has been prevented by monopoly or where other circumstances justify the exemption

F11. Where it is intended to enter into a contract between £5,000 and £60,000 in value for the supply of goods or materials or for the

execution of works, written quotations shall be obtained from at least three such persons or businesses as undertake such contracts, inviting local persons and business to quote when it is reasonable to do so, save that it shall not be obligatory to do so as defined in Standing Order F10b) above. Where it is intended to enter into a contract below £5,000 in value for the supply of goods or services etc., three estimates should, where possible, be obtained from the Council's Approved Suppliers and` Service Providers list, save that it shall not be obligatory to do so as defined in Standing Order F10b) above

F12. Where it is intended to sell or lease Council property and it is considered advantageous to invite tenders, the Council's agent shall advertise in such newspapers and journals as the Council or its authorised committee shall direct

F13. The Council, nor any committee, is not bound to accept the lowest tender, estimate or quote.

F14. A notice of tender shall state the general nature of the intended contract and shall in addition 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. If mitigating circumstances prevail (such as, but not limited to, a pandemic) by the last date by which tenders should reach two people by electronic means. Any tender notice shall contain a reference to the Standing Orders G11, G12 and G13

F15. If no tenders are received or if all tenders are identical the Council may make arrangements for procuring the goods or materials or executing the works as it thinks fit

F16. All tenders received shall be opened in the presence of two people. If tenders are received electronically, they should be sent to two Council members, namely the Mayor and Chair of the Finance & Audit Committee who will open the documents on their PC's concurrently during a meeting using zoom (or similar) technology overseen by the Town Clerk

Contracting authorities are required to publish public procurement notices for new procurements to the new UK e-notification service, **Find a Tender** (FTS): https://www.find-tender.service.gov.uk)

PLANNING (P)

Planning Applications

P1. The Clerk shall refer every planning application received to the Chair and Vice Chair prior to the scheduled meeting of the Planning Consultative Committee

P2. Planning applications shall be referred to the meeting of the Planning Consultative Committee following the receipt of the application

P3. The Planning Consultative Committee Planning Procedures and Members' Planning Code of Good Practice should be read in conjunction with Standing Orders

Public Participation

P4. Any member of the public may address the Planning Consultative Committee during Public Participation on non-agenda items on matters which the Council has control or is a consultative body, subject to a time limit of three minutes per person up to a maximum of 15 minutes in total

GOVERNANCE (G)

Code of Conduct, Interests and Dispensations

G1. **All councillors shall observe the Code of Conduct** adopted by Council on to take effect on 1 May, 2022

G2. All councillors shall be responsible for reading and observing the Code of Conduct on taking office

G3. The Council has adopted the Code of Conduct under the Localism Act 2011. It expects all councillors to abide by the Code and maintain high standards of behaviour

G4. **Members or co-opted members who have a disclosable pecuniary interest in a matter being considered, or who have not previously registered the pecuniary interest with the Monitoring Officer, must withdraw from the meeting while any discussion or vote takes place, unless a dispensation has been granted. Failure to withdraw without a dispensation is a criminal offence**

G5 Councillors may apply for a dispensation in writing to the Town Clerk or if unavailable to the Monitoring Officer at SDC at least two clear days before the date of the meeting

G6. Written requests for dispensations will be considered at the meeting to which they refer

G7. When considering whether to grant a dispensation, the meeting should have regard to all the relevant circumstances, including:

a) Without a dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business so as to impede the transaction of the business;

b) Granting the dispensation is in the interests of persons living in the council's area;

c) It is otherwise appropriate to grant a dispensation;
Any dispensation granted must not exceed four years

G8. The existence, duration and nature of any dispensations granted will be clearly minuted and included in the Register of Disclosable Interests held by the Town Clerk

G9. The Clerk may be required to compile and hold a register of members' pecuniary interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute

G10. A member must register a list of disclosable pecuniary and other interests with the Monitoring Officer of the Responsible Authority within twenty-eight days of taking office, or in the event of new interests or in the event of a change to registered interests, unless the person has been re-elected or re-appointed and such interests are already registered

Appointment of Staff

G11. A candidate for any appointment under the Council who is related to any member or officer, or who believes there is a relationship, shall disclose the relationship in writing to the Town Clerk. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Town Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed, Standing Orders G2 and G3 shall apply as appropriate

G12. The Town Clerk shall make known the purpose of Standing Order G11 to every candidate

Canvassing and Recommendations by Members

G13. a) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Town Clerk shall make known the purpose 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 any appointment under the Council or recommend any person for such appointment or for promotion, but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience, or character for submission to the Council with an application for appointment

G14. Standing Orders G11 and G12 shall apply to tenders as if the person making the tender were a candidate for an appointment

Inspection of Documents

G15. A member may for the purpose of the member's 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 purposes with a copy

G16. a) All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council

b) The Minutes of the Council shall be open to the inspection any Local Government Elector of the Parish in accordance with the Freedom of Information Act 2000

Unauthorised Activities

G17. No member of the Council or of any committee or sub-committee, forum, panel or working party 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 or the relevant committee or sub-committee

Admission of the Public and Press to Meetings

G18. **The public and press shall be admitted to all meetings of the Council and its committees** and sub-committees, **which may,**

however, temporarily exclude the public or the press or both by means of the following resolution:

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

G19. The Council shall state the special reason for exclusion

G20. The Town Clerk shall afford to the press reasonable facilities for taking of their report of any proceedings at which they are entitled to be present

Filming, Photography and Recording

G21. The right to film, photograph and record is limited to the duration of the meeting. Recording must not start until the meeting is called to order, and must cease when the Mayor closes the meeting

G22. Filming or recording equipment cannot be left running in the meeting room at times when the public is excluded

G23. Intrusive filming of a specific individual or individuals will not be permitted unless authorised by the Town Clerk in association with the Mayor or Chair of the committee

G24. If members of the public attending the meeting object to being filmed, photographed or recorded, the Mayor will ask and expect that those filming, photographing or recording the meeting respect their wishes

G25. The Council expects that film or audio recordings will not be edited before transmission in a way that misrepresents what occurred

G26. Filming or recording is not permitted if the effect would be to interrupt or disturb the proceedings:

a) Oral commentary is not permitted

b) Equipment which needs setting up must be in place when the meeting starts

c) Excessive noise, intrusive lighting, and the use of flash photography are not permitted

d) Speakers must not be asked to repeat statements for the purpose of recording

e) "Roaming" while filming or recording is not permitted – those operating equipment must stay in the area designated to them

Reporting via Social Media

G27. Blogging, Tweeting, or other commentary on meetings through social media must not interrupt or disturb the meeting. The same rules apply as set out in paragraph 97-102 above.

G28. If, in the Mayor's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting in accordance with Standing Order G24

Confidential Business

G29. a) No member of Council or of any committee, sub-committee, forum, panel or working party 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, forum, panel or working party as the case may be

b) Any member in breach of the provision of paragraph a) of this Standing Order shall make the member responsible liable to be removed from any committee or sub-committee of the Council by the Council

Liaison with County and District Councillors

G30. County and District Councillors for Stratford-upon-Avon will be notified when Council Agendas are published on the website

G31. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillors for the Ward or to the District Councillor for the Ward as the case may require

Code of Conduct on Complaints

G32. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by Council except for those complaints which should be properly directed to the Monitoring Officer

Variations, Revocations and Suspension of Standing Orders

G33. Any one or more paragraphs of the preceding Standing Orders may be suspended at a meeting of the Town Council, **except those printed in bold type which are compulsory provisions by statute**, provided that:

a) A motion to suspend Standing Orders shall specify which Standing Orders, or parts, are to be suspended

b) The business which the Council will transact under the suspension is specified

G34. A motion permanently to add, vary or revoke a Standing Order not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same

Standing Orders to be given to Members

G35. A copy of these Standing Orders shall be given to each new member by the Town Clerk upon delivery of the member's acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council on 29 March 2022 and taking effect on 1 May 2022

G36. A copy of any amendment to Standing Orders ratified by Council shall be given to members by the Town Clerk

Control Sheet

Version	Date	Description of Amendments
4		Minor typos Amendment to numbering Removal of Virtual meeting Standing Orders Reference to RFO
5	Sept 2024	Removal of Reference to Chairman (minute 42 2024/25)

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