

**STOURPORT-ON-SEVERN TOWN COUNCIL**

**STANDING ORDERS**

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1. **MEETING OF THE COUNCIL**
2. The Annual Meeting of the Council shall be at the Civic Centre, Stourport-on-Severn, in May and in an Election Year within 14 days of when the Councillors take Office.
3. In addition to the Annual Meeting of the Council and any meetings convened by the Chairman, or by Members of the Council, meetings for the transaction of general business shall be held on such days as the Council at the Annual Meeting shall decided.
4. The Annual Meeting and other meetings of the Council for the transaction.
5. The Town Council encourages public participation at its meetings.

To ensure that everyone gets an opportunity to talk, guidance has been introduced on how you can best have your say, and makes the most of your time when you speak.

To ensure everyone gets a fair-share of the available time you will only be able to **speak once for up to three minutes**.

**Generally**

1. You will be asked by the Clerk if you wish to speak.
2. To make the best use of your time, please be brief and to the point. You may find it helpful to rehearse what you have to say to ensure that everything is included. **You will not be allowed to over-run your time.**
3. Written submissions, photographs or display material will not be accepted at the meeting, but may be sent to the Clerk at least 5 days before the meeting, so they can be copied and given to the Councillors.
4. Please avoid derogatory or defamatory statements. If the chair of the meeting feels that this is the case you may be asked to stop speaking. The Council does not tolerate inflammatory or abusive behaviour towards its councillors or staff.
5. Owing to short time you have to put your views across, it may not be appropriate to bring plans or elaborate visual aids to illustrate your points.

**Procedure at the Meeting**

1. Most meetings of the Town Council take place at the Coroners’ Courtroom, Civic Centre, Stourport-on-Severn. Please check with the Clerk before the meeting in case there has been any change. Please arrive at least 15 minutes before the meeting and introduce yourself to the Clerk.
2. You will be asked to sit in the public area.
3. The Chair of the meeting will announce that Public Participation has commenced.
4. You will be invited to speak for up to three minutes. The time limit will be strictly enforced and the Chair of the meeting will notify you when you have 30 seconds left.
5. Please have the respect and courtesy you would wish for yourself when others present their thoughts.
6. After you have finished speaking, you may be asked questions by the Councillors to clarify issues that have arisen.
7. After Public Participation section of the Agenda, the Town Council will continue with items as listed on the Agenda. You are welcome to sit and listen to the debate and others workings of the Council, but will not be able to take part in further discussions.
8. The Chair of the Meeting has responsibility for the smooth running of the meeting. Their decision on procedural matter is final.
9. **ELECTION OF CHAIRMAN AND VICE-CHAIRMAN**
10. The Council shall at the Annual Meeting appoint a Chairman and they shall be known as the Town Mayor.
11. The Council shall at the Annual Meeting appoint a Vice-Chairman and they shall be known as the Deputy Mayor.
12. **CHAIRMAN OF MEETING**

Any power or duty of the Chairman in relation to the conduct of a Meeting may be exercised by the person presiding at the Meeting.

1. **QUORUM**

A quorum shall be six Members and if during any Meeting of the Council the Chairman after counting the number of Members present declares that there is not a quorum present, the Meeting shall stand adjourned.

The consideration of any business not transacted shall be adjourned to a time fixed by the Chairmen at the time the Meeting is adjourned, or, if a time is not fixed, to the next Ordinary Meeting of the Council.

1. **ORDER OF BUSINESS**
2. Expect as otherwise provided by paragraph (5b) of this Standing Order, the order of business at every Meeting of Council shall be –
3. To choose a person to preside if the Chairman and Vice-Chairman be absent.
4. To deal with any person required by statute to be done before any other business.
5. To approve as a correct record and sign the Minutes of the last Meeting of the Council.
6. To deal with any business expressly required by statute to be done.
7. To receive such communications as the Mayor may desire to lay before the Council.
8. To dispose of business (if any) remaining from the last Meeting.
9. To receive and consider reports, Minutes and recommendations of Committee (if any).
10. To answer questions asked under Standing Order 8, where appropriate.
11. To authorize sealing of documents.
12. To consider motions in the order in which notice has been received.
13. Other business, if any, specified in the summons.

**Variation of order of business**

1. Business failing under items (i), (ii) or (iii) of paragraph (5a) shall not be displaced, but subject thereto the foregoing order of business may be varied:-
2. by the Mayor at their discretion
3. by a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.
4. **NOTICES OF MOTION**
5. Notice if every motion other than a motion which is under Standing Order 7 may be moved without notice shall be given in writing, signed by the Member or Members of the Council giving the notice, and delivered not later than 12 Noon on the day one week before the 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 opened to inspection of every Member of the Council.

**Motions to be set out in summons**

1. 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 they proposed to moved it at some later Meeting, or has since withdrawn it in writing.

**Motions not moved**

1. 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 behalf it shall, unless postponed by consent of Council, be treated as withdrawn and shall not be moved within fresh notice.

**Scope of motions**

1. Every motion shall be relevant to some matter in relation to which the Council have powers or duties or which affects the Town.
2. **MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE**

The following motions and amendments may be removed without notice:-

1. Appointment of a Chairman of the Meeting at which the motion is made.
2. Motion relating to the accuracy of the Minutes.
3. That an item of business specified in the summons has precedence.
4. Adoptions of reports and recommendations of officers and any consequent resolutions.
5. That leave be given to withdraw a motion.
6. Extending the time limit for speeches.
7. Amendments to motion.
8. That the Council proceed to the next business.
9. That the question be now put.
10. That the debate be now adjourned.
11. That the Council do now adjourn.
12. Authorising the sealing of documents.
13. Suspending Standing Orders, in accordance with Standing Order 36.
14. Motion under section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 to exclude the public.
15. That a Member named under Standing Order 12 be not further heard or do leave the Meeting.
16. Inviting a Member to remain under Standing Order 18 (pecuniary interest).
17. Giving consent of the Council where the consent of the Council is required by these Standing Orders.
18. **QUESTIONS**
19. A Member of the Council may ask the Mayor any question upon an item which is under consideration by the Council.
20. Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer.
21. An answer may take the form of:-
22. a direction oral answer; or
23. where the desired information is contained in a publication of the Council, a reference to the publication; or
24. where the reply to the question cannot conveniently be given orally, a written answer circulated to Members of the Council.
25. **Minutes**
26. The Mayor shall ask the question that the Minutes of the previous Meeting of the Council be approved as a correct record.
27. No discussion shall take place upon the Minutes, expect upon their accuracy, and any questions shall be raised as a 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.
28. **Rules of debate for Council Meetings**

**Motions and Amendments**

1. A motion or amendment shall not be discussed unless it has been proposed and seconded and unless notice has already been given in accordance with Standing Order 6 it shall, if required by the Mayor, be put in writing and handed to the Mayor before it is further discussed or put to the Meeting.

**Seconder’s speech**

1. A Member when seconding a motion or amendment may, if they then declares their intention to do so, reserve their speech until a later period of debate.

**Only one Member to stand at a time**

1. A Member when speaking shall stand and address the Mayor. If two or more Members rise, the Mayor shall call on one to speak; the other or others shall then sit. While a Member is speaking the other Member shall remain seated, unless rising to a point of order or in personal explanation.

**Content and length of speeches**

1. A Member shall direct this speech to the question under discussion or to a personal explanation or to a point of order. No speech shall exceed five minutes (expect that of a mover of a motion which shall not exceed ten minutes), expect by consent of the Council.

**When a Member may speak again**

1. A Member who has spoken on a motion shall not speak again whilst it is the subject of debate, expect:-
2. to speak once on an amendment moved by another Member;
3. if the motion has been amended since they last spoke, to move a further amendment;
4. if their first speech was on an amendment moved by another Member, to speak on the main issue, whether or not the amendment on which they spoke was carried;
5. in exercise of a right of reply given by paragraph (xi) or (xiii) of this Standing Order;
6. on a point of order;
7. by way of personal explanation.

**Amendments to motions**

1. An amendment shall be relent to the motion and shall be either:-
2. to reflect a subject if debate to a Committee for consideration or re-consideration;
3. to leave out words;
4. to leave out words and insert or add others;
5. to insert or add words;

but such omissions, insertion or addition of words shall not have the effect of negating the motion before the Council.

1. Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion had been disposed of.
2. 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 become the motion upon which a further amendment may be moved.

**Alterations of motion**

1. A Member may with the consent of Council signified without discussion:-
2. alter a motion of which they has given notice, or;
3. with the further consent of the seconder alter a motion which they has moved; if (in either case) the alteration if one which could be made as an amendment thereto.

**Withdrawal of motion**

1. A motion or amendment may be withdrawn by the mover with the consent of their seconder and of the Council, which shall be signified without discussion, and no Member may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.

**Right of reply**

1. The mover of a motion has a right 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 to reply at the close of the debate on the amendment, and shall not otherwise speak on the amendment. The mover of the amendment shall have the right of reply to the debate on their amendment, subject to the mover of the original motion having the final right of reply.

**Motions which may be moved during debate**

1. When a motion is under debate no other motion shall be moved expect the following:-
2. to amend the motion;
3. to adjourn the Meeting;
4. to adjourn the debate;
5. to proceed to the next business;
6. that the question be now put;
7. that a Member be not further heard;
8. by the Chairman under Standing Order 12(b) that a Member do leave the Meeting;
9. a motion under section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960 to exclude the public.

**Closure motions**

1. A Member may move without comment at the conclusion of a speech of another Member, “That the Council proceed to the next business”, “That the question be now put”, “That the debate be now adjourned”, or “That the Council do now adjourn”, on the seconding of which the Chairman shall proceed as follows;-
2. on a motion to proceed to next business: unless in their opinion the matter before the Meeting has been insufficiently discussed, they shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business.
3. on a motion that the question be now put: unless in their opinion the matter before the Meeting has been insufficiently discussed, he shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business.
4. on a motion to adjourn the debate or the Meeting: if in their opinion the matter before the Meeting has been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion he shall put the adjournment to the vote without giving the mover of the original motion their right of reply on that occasion.

**Points of Order**

1. A Member may rise on a point of order or in personal explanation, and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order to statutory provision and the way in which they considers it has been broken. A personal explanation shall be confined to some material part of a former speech by them which may appear to have been misunderstood in the present debate.
2. The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

**Respect for Chair**

1. Whenever the Chairman rises during a debate a Member when standing shall resume their seat and the Council shall be silent.

**Advice by Officer of the Council**

1. The Chairman may call upon any Officer of the Council to explain or advise upon any point under discussion or such Officer may rise with the permission of the Chairman to explain any point about which they considers a doubt exists.
2. **Motions affecting Persons employed by the council**

If any questions arise at a Meeting of the Council (or of a Committee thereof which the Public Bodies (Admission to Meetings) Act 1960 applies by virtue of section 2(1) as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of nay person employed by the Council, such question shall not be the subject of discussion until the Council or Committee, as the case may be, has decided whether or not the power of exclusion of the public under section 1(2) of the Public Bodies (Admissions to Meetings) Act 1960 shall be exercised.

1. **DISORDERLY Conduct**
2. If at a Meeting any Member of the Council, in the opinion of the Chairman notified to the Council, misconduct themselves by persistently disregarding the ruling of the Chair or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, the Chairman or any other Member may move “That the Member named be not further heard”, and the motion if seconded shall be out and determined without discussion.

**Continuing misconduct by a named Member**

1. If the Member named continue their misconduct after a motion under the foregoing paragraph has been carried the Chairman shall:-

EITHER move “That the Member be named do leave the Meeting” (in which case the motion shall be put and determined without seconding or discussion);

OR adjourn the Meeting of the Council for such a period as discretion by the member shall consider expedient.

**General disturbance**

1. In the event of general disturbance which in the opinion of the Chairman renders the due and orderly dispatch of business impossible, the Chairman in addition to any other power vested in them may, without question put, adjourn the Meeting of the Council for such a period as the discretion of the member shall consider expedient.
2. **Disturbance by members of the public**

If a member of the public interrupts the proceedings at any Meeting the Mayor shall warn them. If they continue the interruption, the Mayor shall order their removal from the Council Chamber. In case of general disturbance in any part of the Chamber open to the public the Mayor shall order that part to be cleared.

1. **Rescission of preceding RESOLUTIONS**

No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the precedent six months, shall be proposed unless the notice thereof given in pursuance of Standing Order 6 bears the name of at least five Members of the Council. When any such motion or amendments has been dispose of by the Council, it shall be open to any Member to propose a similar motion within a period of six months:

Provided that this Standing Order shall not apply to motions moved in pursuance of a recommendation of a Committee.

1. **Voting**

The mode of voting at Meetings of the Council shall be by show of hands, and on the requisition of any Member of the Council the voting on any questions shall be recorded so as to show whether each Member present and voting gave their vote for or against the question. If on the requisition of a Member of the Council prior to the vote being taken the voting on any question is recorded, there shall be recorded the name of any Member then present who abstained from voting.

1. **Voting on appointments**

Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a 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 be taken, and so on until a majority of votes is given in favour of one person.

1. **Record of attendance**

Every member of the Council attending a Meeting of the Council shall sign their name in the attendance book or sheet provided for that purpose, and every Member attending other Meeting, conference or inspection on approved duty shall sign their name in the register for the purpose.

1. **Interest of members in contracts and other matters**

If any Member of the Council has any pecuniary interest direct or indirect within the meaning of Section 94 of the Local Government Act 1972 in any contract, proposed contract, or other matter, that Member shall withdraw from the Meeting while the contract, proposed contract, or other matter, is under consideration by the Council unless:-

1. the disability to discuss that matter imposed upon them by the section has been removed; or
2. the contract, proposed contract, or other matter is under consideration by the Council as part of the report of a Committee and is not itself the subject of debate; or
3. the Council invite them to remain.
4. **Interest of officers in Contracts**

The Town Clerk shall record in a book to be kept for the purpose particulars of any notice given by an Officer of the Council of a pecuniary interest in a contract, and the book shall be open during office hours to the inspection of any Member of the Council.

1. **Canvassing or and recommendations by members**
2. Canvassing of Members of the Council directly or indirectly for any appointment under the Council shall disqualify the candidate concerned for that appointment. The purport of this paragraph of this Standing Order shall be notified to all applicants for such appointment.
3. A member of the Council shall not solicit for any person any appointment under the Council, but this shall not preclude a Member from giving a written testimonial of a candidate’s ability, experience, or character for submission to Council with an application for appointment.
4. **Relatives of Members or Officers**
5. A candidate for any appointment under the Council who knows that they are related to any Member or Senior Officer shall when making application disclose that relationship to the Town Clerk. A candidate who fails to disclose such a relationship shall be disqualified fro the appointment and if appointed shall be liable for dismissal without notice. Every Member and senior officer of the Council shall disclose to the Town Clerk any relationship know to them to exist between themselves and any person who is a candidate for an appointment under the Council. The Town Clerk shall report to the Council or to the appropriate Committee any such disclosure made by them.
6. For the purpose of this Standing Order “senior officer” means any officer under the Council so designated by the Council, and persons shall be deemed to be related if they are husband and wife or if either of them or the spouse of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the other, or of the spouse of the other.
7. **Staff establishment and filling of vacancies**
8. The Council shall from time to time determine the establishment of every department of the Council. No new office shall be created, nor any person be employed in addition to a department’s establishment, except with the agreement of the Council.
9. All vacancies to be filled in offices under the Council not being at a weekly wage, unless they are to filled by promotion or transfer, shall be publicly advertised expect where the Council otherwise determine.
10. Provided that where, within six months of the filling of a vacancy which has been publicly advertised, a similar vacancy occurs in an office in the appointment of Council, the Council may appoint one of the former applicants.
11. A vacancy to be filled in an office of senior officer, as defined in Standing Order 21, which is not be filled by promotion or transfer shall be advertised in one or more newspaper or journals circulating primarily among persons who may be expected to possess the necessary qualifications for the office.
12. When a vacancy occurs in any existing or Chief Officer or Deputy Chief Officer the Council may decided, in the case of an office which the Council are not required by statute to fill, whether the office is necessary; and in any case what shall be the terms and conditions of the office; and no steps shall be taken to fill the post until these decisions have been taken.
13. When a standing deputy has not been appointed the appropriate Committee may, if they think fit, appoint and fix the remuneration of some person to carry on temporarily the duties of office and until a successor is appointed.
14. **CUSTODY of Seal**

The Common Seal of Council shall be kept in a safe place and shall be secured by two different locks, the keys of which shall be kept retrospectively by the Mayor and the Town Clerk.

Provided that they may entrust their key temporarily to another Member of the Council and the Town Clerk may entrust their key temporarily to any deputy appointed by the Council.

1. **Sealing Documents**

The Common Seal of Council shall not be affixed to any documents unless the sealing has been authorised by a resolution of the Council, but a resolution of the Council authorising the acceptance of the tender, the purchase, sale, letting, or taking of any property, the issue of stock, the presentation of any petition, memorial, or address, the making of any rate or contract, or the doing of nay other things, shall be a sufficient authority for sealing any document necessary to give effect to the resolution.

1. **Authentication of Documents**

Where any document will be a necessary step in legal proceedings on behalf of the Council it shall, unless any enactment otherwise requires or authorises, or the Council give the necessary authority to some other person for the purpose of such proceedings, be signed by the Town Clerk.

1. **Inspection of Documents**
2. A Member of the Council may, for purposes of their duty as such Member but not otherwise, on application to the Town Clerk inspect any documents which has been considered by a Committee or by the Council, and if copies are available shall on request be supplied for the like purposes with a copy of such document.

Provided that a Member shall not knowingly inspect and shall not call for a copy of a document relating to a matter in which he has directly or indirectly any pecuniary interest with the meaning of section 94 of the Local Government Act, 1972, and that this Standing Order shall not precluded the Town Clerk or the solicitor to the Council from declining to all inspection of any document which is or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client.

1. All reports made or minutes kept by any Committee shall, as soon as the Committee has concluded action on the matter to which such reports or minutes relate, be open for the inspection of any Member of the Council.
2. **Inspection of Lands, premises, etc.**

Unless specifically authorised to do so by the Council or a Committee, a Member of the Council shall not issue any order respecting any works which are being carried out by or on behalf of the Council or claim by virtue of this Membership of the Council any right to inspect or to enter upon any lands, office or premises which the Council have the power or duty to inspect or enter.

1. **Appointments of COMMITTEES**

The Council may at any times appoint such committees as are required by statute and as are necessary to carry out the work of the Council but, subject to any statutory provision in that behalf:-

1. shall not appoint any Member of a Committee so as to hold office later than the next Annual Meeting of the Council;
2. may at any time dissolve a Committee or alter its membership.
3. **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 a Vice-Chairman. In the absence from a Meeting of the Chairman (and Vice-Chairman) a Chairman for that Meeting may be appointed.

1. **Quorum of Committee**

Except where authorised by a statue or ordered by the Council, business shall not be transacted at a Meeting of any Committee unless at least one third of the whole number of the Committee is present.

Provided that in no case shall the quorum of a Committee be less than three members.

1. **Voting on COMMITTEES**

Voting at a Meeting of a Committee shall be by show of hands.

1. **Standing Orders to apply to Committees**

The Standing Order of the Council headed “Rules of Debate” (expect those parts which relate to standing and to speaking more than once) and the Standing Order headed “Interest of Members in contract and other matters” shall, with any necessary modification, apply to Committee Meetings.

1. **MoveR of Motion may attend Committee**

A Member of the Council who has moved a motion which has been referred to any committee shall have notice of the Meeting of the Committee at which it is proposed to consider the motion. They shall have the right to attend the Meeting and if they attend shall have an opportunity of explaining the motion.

1. **Attendance of Members of the Council at Meetings of Committees**

Any Member of the Council may be present at any Meeting of a Committee notwithstanding that they are not a Member of such Committee, but they shall not be permitted to vote or, expect with leave of the Committee Chair, to take any part whatever in the proceedings expect as provided for in Standing Order 33.

1. **VARIATIONS and Revocation of Standing Orders**

Any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary Meeting of the Council.

1. **Suspension of Standing Orders**
2. Subject to paragraph (36b) of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the Meeting where its suspension is moved. The Standing Order or Orders to be suspended shall be specified.
3. A motion to suspend Standing Orders shall not be moved without notice (i.e. under Standing Order 7) unless there shall be present at least one-half of the whole number of the Members of the Council.
4. **Standing Orders to be given to members**

A printed copy of these Standing Orders, and of such statuary provisions as regulates the proceedings and business of the Council, shall be given to the each Member of the Council by the Town Clerk.

1. **INTERPRETATION of Standing Orders**

The ruling of the Mayor as 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.

1. **RESPONSIBILITIES Under Data Protection Legislation**

*(Below is not an exclusive list)*

1. The Council may appoint a Data Protection Officer.
2. The Council shall have policies and procedures in place to respond to an individual exercising statute rights concerning their personal data.
3. The Council shall have a written policy in place for responding to and manager a personal data breach.
4. The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
5. The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available from and kept up to date.
6. The Council shall maintain a written record of its processing activities.

Notes:

These Standing Orders become operative on the 17th October 1973.

Revised 2nd June 2009 *(Minute No. 19)*

Revised 4th May 2021 (Minutes No. 14) DRAFT VERSION