

BLYTH TOWN COUNCIL

STANDING ORDERS-

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1. PART 1 – DEFINITIONS

In these Standing Orders the following words shall have the meanings assigned to them:

- "Chair" shall mean the person presiding at the meeting.
- "Clerk" shall mean the person or persons appointed by the Town Council as its clerk and/or responsible finance officer.
- "Committee" shall include a sub-committee.
- "Council" or "Town Council" shall mean Blyth Town Council.
- "Councillor" shall mean a person elected or co-opted to the office of a member of Blyth Town Council.
- "Mayor" shall be the person appointed as the Chairman of the Council in accordance with the Local Government Act 1972.
- "Meeting" shall be a meeting of the Council. Committee or Sub-Committee as the case may be.
- "Monitoring Officer" shall mean the Monitoring Officer of Northumberland County Council.
- "Working Day" shall mean a day on which the Town Council's office is expected to be open to the public, but does not include a Saturday, Sunday, Bank or Public Holiday or Day of National Celebration or Mourning.
- "Clear Day" shall not include the day of dispatch nor the day of the meeting.

References to writing shall include electronic methods of communication provided the recipient has given consent in accordance with the Local Government (Electronic Communications) (England) Order 2015.

2. Part 2 – Meetings

Meetings of the Town Council shall be held in each year on such dates and at times at such place as the Council may direct, subject to being not less than four meetings in each year.

In an election year the Annual Town Council Meeting shall be held on or within 14 days following the day on which Councillors are elected to take office. In a year that is not an election year the Annual Town Council Meeting shall be held on such a day in May as the Council may direct.

Chair of the Meeting

The person presiding at the meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting subject to the provisions of Schedule 12 Local Government Act 1972.

3. Part 3 – Quorums

Three Councillors or one-third of the total membership whichever is the greater number shall constitute a quorum at meetings of the Town Council.

Except where ordered by the Council in the case of a Committee, or by the Council, or by the appropriate Committee in the case of Sub Committee, the quorum of a Committee or Sub Committee shall be three or one-third of its Councillors, whichever is the greater.

If a quorum is not present at the time appointed for its commencement or, if during a meeting the number of Councillors present falls below the required quorum, the meeting shall stand adjourned for 15 minutes. If at the end of that period, the meeting is inquorate, any business not transacted shall be transacted at the next meeting or on such other day as the Chair shall fix.

4. Part 4 – Voting in the Town Council and Committees

Councillors shall vote by a show of hands or, if at least two Councillors so request, by a roll-call vote.

If a Councillor so requires, the Clerk shall record the names of the Councillors who voted on any question so as to show whether they voted for or against it. Such a request can be made before moving onto the next item of business.

(i) Subject to (ii) and (iii) below the Chair 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 or second vote whether or not he gave an original vote.

(ii) If the person presiding at the Annual Meeting would have ceased to be a Councillor of the Council but for the statutory provisions which preserve the Councillorship of the Chair and Vice Chair until the end of their term of office he may not give an original vote in an election for Chair.

(iii) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.

As Blyth Town Council has 16 Councillors, the quorum is six.

These comply with the Schedule 12 Local government Act 1972.

5. Part 5 – Order of Business

At each Annual Town Council Meeting the first business shall be:

- a) To elect the Mayor
- b) To receive the Mayor's declaration of acceptance to office or, if not then received, to decide when it shall be received.
- c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
- e) To elect a Vice Chair of the Council who shall be known as the Deputy Mayor.
- f) To appoint representatives to outside bodies.
- g) To appoint, set out terms of reference and the powers of any Committees

and shall thereafter follow the order set out below.

At every meeting other than the Annual Town Council Meeting the first business shall be to appoint a Chair, if the Chair and Vice Chair be absent and to receive such declarations of acceptance of office (if any) and 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.

In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. This can be completed by an appropriate Committee.

After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:

- aa) To allow a period of twenty minutes to allow members of the public to ask questions of the Council. At his/her discretion, the Mayor may extend the period for public questions. This provision shall not apply to meetings of the Town Council convened for a special purpose, or purposes, outside the usual cycle of meetings and shall not apply to Committees.
- a) To consider the Minutes and after consideration, to approve the signature of Minutes by the Chair as a correct record.
- b) To deal with business expressly required by statute to be done.
- c) To dispose of business, if any, remaining from the last meeting.

- d) To receive such communications as the Chair may wish to lay before the Council.
- e) To receive and consider reports and minutes from Committees.
- f) To receive and consider resolutions or recommendations in the order in which they have been notified.
- g) To authorise the sealing of documents.
- h) To authorise the signing of orders for payment.

Urgent Business

A motion to vary the order of business on the grounds of urgency:

- a) May be proposed by the Chair or by any Councillor and, if proposed by the Chair, may be put to the vote without being seconded, and
- b) Shall be put to the vote without discussion.
- c) This item on the Agenda of the Meetings of Blyth town Council is to be listed as follows:

This item is only for items of information to be given to Town Councillors and for items which either the Committee Chair or Town Clerk consider to be genuinely urgent.

6. Part 6 – Resolutions and Questions

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 Clerk or mover has given notice in writing (or via email) of its terms and has delivered the notice to the Clerk at least five **(5)** Working Days before the next meeting of the Council. For the sake of clarity the five Working Day period shall not include either the day the notice is given or the day of the meeting to which it relates.

The Clerk shall date every notice of resolution or recommendation when received by him, shall number each notice in the order in which it was received and shall retain any such notice which shall be open to the inspection of the every Councillor.

The 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 Councillor giving notice of motion has state in writing that he/she intends to move at some time later meeting or he/she withdraws it.

If a resolution or recommendation specified in the summons is not moved either by the Councillor who gave notice of it or by another Councillor, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

If the subject matter of a resolution comes within the province of a Committee, it shall, upon being moved and seconded, stand referred without discussion to such Committee or to such other Committee as the Council may determine for report; provided that the Chair, if he/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting during which it was moved. If any motion is so referred to a Committee, then the mover and/or seconder at the Council shall be allowed to move, second and reply at the Committee if they are not members of the Committee (but for the sake of clarity do not have a vote).

Every resolution or recommendation shall be relevant to some subject over which the Council has powers, duties or which affects Blyth.

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

- a) To appoint a Chair of the meeting.
- b) To correct the Minutes.
- c) To approve the Minutes.
- d) To alter the order of business.
- e) To proceed to the next business.
- f) To close or adjourn the debate.
- g) To refer a matter to a Committee.
- h) To appoint a Committee or any Councillors thereof.
- i) To adopt a report.
- j) To authorize the sealing of documents.
- k) To amend a motion.
- l) To give leave to withdraw a resolution or amendment.
- m) To extend the time limit for speeches.
- n) To exclude the press and public (*See Part 11 para 1 & 2*).
- o) To silence or eject from the meeting a Councillor named for misconduct (*See Part 8 para 1-4*).
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing order (*See Part 12*).
- r) To adjourn the meeting.

A Councillor may ask the Mayor or the Clerk any question concerning the business of the Council, provided that five **(5)** Working Days' notice of the question has been given to the person to whom it is addressed. For the sake of clarity the five Working Days period shall not include either the date the notice is given or the day of the meeting to which it relates.

No questions not connected with the business under discussion shall be asked except during the part of the meeting set aside for questions.

Every question shall be put and answered without discussion by other Councillors, although the Chair may allow a limited debate in order to

ascertain whether the subject matter should be referred to a Committee or the next meeting.

The Councillor shall be entitled to ask a supplementary question arising from the initial response.

A person to whom a question is put may decline to answer.

7. Part 7 – Rules of Debate

- a) No discussions shall take place upon the minutes except upon their accuracy. Corrections to the minutes shall be made by resolution and must be initialled by the Chair.
- b) Notwithstanding (a) above, an agenda for a Meeting may include provision for Councillors to be updated on matters referred to in the minutes.
- 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 Chair, be reduced to writing and handed to him/her before it is further discussed or put to the meeting.
- b) A Councillor when seconding a resolution or amendment may, if she/he then declare his/her intention to do so, reserve his/her speech until a later period of the debate.
- c) A Councillor shall direct his/her speech to the question under the discussion or to a personal explanation or to a question of order.
- d) No speech by a mover of a resolution shall exceed (3) minutes and no other speech shall exceed (2) minutes except by consent of the Chair.
- 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 resolution 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 have the effect of negating the resolution before the Council.
- i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding two (2) minutes without the consent of the Chair.
- j) A Councillor, other than the mover of a resolution, shall not, without leave of the Chair, speak more than once on any resolution except to move an amendment or further

amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.

- k) A Councillor may speak on a point of order or a personal explanation. A Councillor speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech made during the debate by him/her which may have been misunderstood.
- l) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no Councillor may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- m) When a resolution is under debate no other resolution shall be moved except the following:
 - i. To amend the resolution.
 - ii. To proceed to the next business.
 - iii. To adjourn the debate.
 - iv. That the question be now put.
 - v. That a Councillor named be not further heard.
 - vi. That a Councillor named do leave the meeting.
 - vii. That the resolution be deferred to a Committee.
 - viii. To exclude the public and press.
 - ix. To adjourn the meeting.

A Councillor shall remain seated when speaking unless requested to stand by the Chair.

- a) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.
- b) Councillors shall address the Chair. If two or more Councillors wish to speak, the Chair shall decide who to call upon.
- c) Whenever the Chair speaks during a debate all other Councillors shall be silent.

At the end of any speech a Councillor may, without comment, move "that the question may now be put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded, the Chair shall put the motion, but in the case of a motion "that the question now be put", only if he/she is of the opinion that the question before the Council has been sufficiently debated.

If the motion “that the question now be put is carried”, he/she can call upon the mover to exercise or waive his/her 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 replay at the resumption.

The mover of a resolution shall have a right to reply immediately before the amendment is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A Councillor 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.

A Councillor may, with the consent of his/her seconder, move amendments to his own resolution.

- a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except by a special resolution, the written notice whereof bears the name of at least five (5) Councillors of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee.
- b) When a special resolution or any other resolution moved under the provision of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

If at a meeting there arises any questions to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has decided whether or not the press and public shall be excluded.

Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another Committee after recommendation by the Finance Committee) and which, if carried, would in the opinion of the Chair 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 Committee shall report on the financial aspect of the matters).

Orders for the payment of money shall be authorised by resolution of the Council or the relevant Committee and signed by two authorised Councillors.

- a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- b) Any two Councillors of the Council named in a resolution moved under the provisions of paragraph (a) of this Order may seal, on behalf of the Council, any document required by law to be issued under seal.

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 Councillors 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.

- 1) All minutes kept by the Council and by any Committee shall be open for the inspection of any Councillor or the Council.
- 2) A Councillor shall only be shown in the Minutes as having been present at a particular Meeting if they have signed the attendance sheet for the Meeting.
- 3) A Councillor who has proposed a resolution which has been referred to any Committee of which he/she is not a member, may explain his/her resolution to the Committee but may not vote.
- 4) Any Councillor may attend and speak (but not vote) at a Committee provided they have given prior notice to the Chair of the Committee.

Parts 2-7 of these Standing Orders shall apply to any meetings of Committee of the Town Council subject to the caveat in Standing Part 5 (aa).

8. Part 8 – Conduct

- a) All Councillors must observe any Code of Conduct which is adopted by the Council pursuant to the Localism Act 2011.
- b) No Councillor shall, at a meeting, persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.

- c) If, in the opinion of the Chair, a Councillor has broken the provisions of paragraph (b) of this Order the Chair shall express the opinion to the Council and thereafter any Councillor may move that the Councillor named be no longer heard or that the Councillor named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- d) If either of the motions mentioned in paragraph (c) is disobeyed, the Chair may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

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

If a Councillor has a disclosable pecuniary interest as defined by the legislation and/or Code of Conduct they shall disclose the existence and nature of that interest as required.

If a Councillor who has declared a disclosable pecuniary interest, he/she must withdraw from the room or chamber during consideration of the time to which the interest relates unless a dispensation has been given.

The Monitoring Officer is to hold the Register of Councillors' Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer and/or as required by statute (Localism Act (2011)c.20 Part I, ch.7,Section 29).

No councillor in the name of, or on behalf of the Council shall:

- a) Inspect any lands or premises which the Council has a right or duty to inspect; or
- b) Issue orders, instructions or formal directions unless authorized to do so by the Council or the relevant Committee or Sub Committee.
 - i. No Councillor shall disclose to any person not a Councillor of the Council any business declared to be confidential by the Council, the Committee or the Sub Committee as the case may be.
 - ii. Any Councillor in breach of the provisions of paragraph (i) of this Standing Order may be removed from any Committee or Sub Committee of the Council by the Council.

9. Part 9 – Finance

The Council shall consider and approve Financial Regulations drawn up by the Responsible Finance Officer. On approval such Financial Regulations shall be part of these Standing Orders.

- a) Except as provided in paragraph (b) of this Standing Order, Financial Regulations or by statute, all accounts for payments and claims upon the Council shall be laid before the Council.
- b) Where it is necessary to make a payment before it has been authorized by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payments shall be authorized by the Committee, if any, having charge of the business to which it relates, or by the Clerk for payment with approval of the Chair and/or Vice Chair of the Council.
- c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments before the Council.

The Responsible Financial Officer shall supply each Councillor as soon as practicable after 31 March in each year, a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March, shall be presented as soon as practicable. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of June.

- 1) The Council shall approve a budget and precept for the coming financial year at its meeting before the end of the month of January.
- 2) Any Committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than the end of December.

The Council may make the details of any contract and tender publicly available if the Council considers it to be in the interests of transparency.

A Councillor may, for the purpose of his/her duty as a Councillor (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.

10. Part 10 – Staff

Where a statute, regulation or order confers function or duties on the Proper Officer of the Council in the following cases, he/she shall be the Clerk or Nominated Officer:

- a) To receive declarations of acceptance of office.
- b) To receive and record notices disclosing interests at meetings.
- c) To receive and retain plans and documents.
- d) To sign notices or other documents on behalf of the Council.
- e) To receive copies of bylaws made by another Local Authority

- f) To certify copies of bylaws made by the Council.
- g) To sign and issue the summons to attend meetings of the Council.
- h) To keep proper records for all Council Meetings.

If a candidate for any appointment under the Council is to their knowledge related to any Councillor of, or the holder of any office under the Council, he and the person to who he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure.

The Clerk shall make known the purpose of Standing Order (above) to every Candidate.

Canvassing of Councillors of the Council or any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The clerk shall make known the purpose of this sub-paragraph of this Standing Order to every candidate. A Councillor of the Council or of any Committees 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 Councillor may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

11. Part 11 – Rights of Public

The public and the media shall be admitted to all meetings of the Council and its Committees and Sub Committees, which may, however, temporarily exclude the public and press by means of a resolution in broadly similar terms to:

"Pursuant to the Public Bodies (Admission to Meetings) Act 1960; that in view of the (special) confidential) nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw."

The Council, Committee or Sub Committee shall state the reason for exclusion.

- a) The Clerk shall afford to the public, press and media reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present but this does not include the provision of software or machinery for recording or transmitting meetings.
- b) For the sake of clarity, this may include allowing the press or media to make non-intrusive recordings of meetings.

If a member of the public interrupts the proceedings of any meeting, the Chair may, after warning, order that they be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

12. Part 12 – Variations, Revocation and Suspension of Standing Orders

Only the following Standing Orders may be suspended by resolution in relation to any specific item of business. Financial Regulations may only be suspended in the circumstances set out in the Financial Regulations.

- Order Business
- Questions
- Length of Speeches
- Length of Right of Reply
- Previous Resolutions

A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to next ordinary meeting of the Council.

A copy of these Standing Orders shall be given to each Councillor by the Clerk upon delivery to him/her of the Councillor's declaration of acceptance of office.

