



THETFORD TOWN COUNCIL

STANDING ORDERS

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STANDING ORDERS

(as approved on 30th April 2009 under minute 476/08)

Prefatory Note:

Please refer to Standing Order 85 below for confirmation of the special status of what follows **in bold type**.

MEETINGS

1. Meetings of Thetford Town Council (hereinafter referred to as 'the Council') shall be held in each year on such dates and at such times and place as the Council may direct.
2. **Statutory Annual Meeting**
 - (a) **In an election year, the Statutory Annual Meeting of the Council¹ shall take place on the day on which the councillors elected take office or within the fourteen-day period following that day.**
 - (b) **In a year which is not an election year, the Statutory Annual Meeting of the Council shall be held on such day in May as the Council may direct.**
3. **Other Meetings**

In addition to the Statutory Annual Meeting, statute requires at least three other meetings to be held in each year on such dates and at such times and place as the Council may direct.

CHAIRMAN OF MEETING

4. **The person presiding at a meeting may exercise all the powers and duties of the Town Mayor as Chairman in relation to the conduct of the Meeting.**

PROPER OFFICER

5. Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he shall be the Clerk to the Council (hereinafter referred to as 'the Clerk'):
 - (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.

¹ Traditionally referred to as 'Mayor-Making' this is to be distinguished from the 'Annual Town Meeting', which must take place between 1st March and 1st June (both dates inclusive).

- (d) To sign notices or other documents on behalf of the Council.
- (e) To receive copies of bylaws made by another issuing authority.
- (f) To certify copies of bylaws made by the Council.
- (g) To sign and issue summonses to attend meetings of the Council.
- (h) To keep proper records of all meetings of the Council.

In any other case, the proper officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

QUORUM

- 6. Six members shall constitute a quorum of the Council.**
- 7. If a quorum is not present or if, during a meeting, the number of members present (not counting those debarred by reason of a declared prejudicial interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.
- 8. For the quorum relating to a Committee or Sub-Committee, reference should be made to Standing Order 61 below.

VOTING

- 9. Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- 10. If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**
- 11. Subject to Standing Orders 12 and 13 below, the Chairman may give an original vote on any matter put to the vote and, in the case of an equality of votes, may give a casting vote, whether or not participating in the original vote.**
- 12. If the person presiding at the Annual Meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Town Mayor and Deputy Town Mayor until the end of their term of office, then that person may not give an original vote in an election for Town Mayor as Chairman.**
- 13. The person presiding must give a casting vote whenever there is an equality of votes in an election for Town Mayor as Chairman.**

VOTING ON COMMITTEES

14. Members of Committees and Sub-Committees shall vote by show of hands or, by the agreement of the majority of members present, by secret ballot.
15. **Chairmen of Committees and Sub-Committees shall, in the case of an equality of votes, have a second or casting vote.**

VOTING ON APPOINTMENTS

16. 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 fewest 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.

ORDER OF BUSINESS

17. **At each Annual Meeting, the order of first business shall be:**
 - (a) **To elect a Town Mayor as Chairman of the Council.**
 - (b) **To receive the Town Mayor's Declaration of Acceptance of Office or, if not then received, to decide when it shall be received.**
 - (c) **In an ordinary year of election to 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 (to include a written undertaking to observe the Code of Conduct adopted by the Council) not yet received as provided by law shall be received.**
 - (e) To elect a Deputy Town Mayor as Vice-Chairman of the Council.
 - (f) To appoint Committees.
 - (g) To fix meetings of the Council and its Committees for the ensuing year.
 - (h) To agree representation on other bodies.

Thereafter, the order set out in Standing Order 18 below shall follow.

18. **At every meeting other than the Annual Meeting, the first business shall be to appoint a Chairman, if the Mayor and Deputy Mayor both be absent, and receive such Declarations of Acceptance of Office (if any) and undertakings 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.**
19. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:

- (a) To receive declarations of interest
- (b) To read and consider the Minutes, 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 may be taken as read.
- (c) After consideration to approve the signature of the Minutes by the person presiding as a correct record**
- (d) To deal with business expressly required by statute to be done**
- (e) To receive apologies for absence.
- (f) To dispose of business, if any, remaining from the last meeting.
- (g) To receive such communications as the person presiding may wish to lay before the Council.
- (h) To receive and consider reports and Minutes of committees.
- (i) To consider resolutions or recommendations in the order in which they have been notified.
- (j) To receive and consider reports from officers of the Council.
- (k) To authorise the signing of orders for payment.
- (l) Any other business specified in the summons.
- (m) To answer members' questions (see Standing Order 27 below).

URGENT BUSINESS

- 20. A motion to vary the order of business on the ground of urgency
 - (a) may be proposed by the Chairman or by any members and, if proposed by the Chairman, may be put to the vote without being seconded, and
 - (b) shall be put to the vote without discussion.

RESOLUTIONS MOVED ON NOTICE

- 21. 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 the mover has given notice in writing of its terms and has delivered the notice to the Clerk **at least seven clear days before the next meeting of the Council.**
- 22. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given.
- 23. If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 24. 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 said Committee or to such other

Committee as the Council may determine for report, provided that the Chairman, if he or she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

25. 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

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

- (a) To appoint a Chairman 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 members thereof.
- (i) To adopt a report.
- (j) To authorise the sealing of documents.
- (k) To amend a resolution.
- (l) To give leave to withdraw a resolution or an amendment.
- (m) To exclude the public (see Standing Order 75 below).
- (n) To silence or eject from the meeting a member named for misconduct (see Standing Order 46 below).
- (o) To give the consent of the Council where such consent is required by these Standing Orders.
- (p) To suspend any Standing Order (except those referred to in Standing Order 85 below).
- (q) To adjourn the meeting.

QUESTIONS

27. A member may ask the Town Mayor as Chairman of the Council or the Clerk any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins.
28. No question not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
29. Every question shall be put and answered without discussion.
30. A person to whom a question has been put may decline to answer.

RULES OF DEBATE

31. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
32. A resolution of 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 Town Mayor, be reduced to writing and handed to him or her before it is further discussed or put to the meeting.
33. A member shall direct his or her speech to the question under discussion or to a personal explanation or to a question of order.
34. An amendment shall be for one of the following reasons:
 - (a) To leave out words
 - (b) To leave out words and insert or add others
 - (c) To insert or add words.
35. An amendment shall not have the effect of negating the motion before the Council.
36. 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.
37. A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
38. A member may make a point of order or a personal explanation. A member shall be heard forthwith. A personal explanation shall be confined to some material part of an earlier speech, which may have been misunderstood.
39. A motion or amendment may be withdrawn by the proposer with the Council's consent, which shall be signified without discussion. No member may speak upon a motion or amendment after permission has been asked for its withdrawal unless such permission has been refused.
40. When a resolution is under debate, no other resolution shall be moved except the following:
 - (a) To amend the resolution.
 - (b) To proceed to the next business.
 - (c) To adjourn the debate.
 - (d) That the question be now put.
 - (e) That a member named be not heard further.

- (f) That a member named do leave the meeting.
 - (g) That the resolution be referred to a Committee.
 - (h) To exclude the press and public.
 - (i) To adjourn the meeting.
41. The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
42. Members shall address the Chairman and observe the authority of the Chair at all times.

CLOSURE

43. At the end of any speech, a member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”. If such motion is seconded, the Chairman shall put the motion but, in the case of a motion “that the question be now put”, only if he or she is of the opinion that the question before the Council has been sufficiently debated. If the motion “that the question be now put” is carried, he or she shall call upon the mover to exercise or waive his or 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 meeting shall not prejudice the mover’s right of reply at the resumption.

DISORDERLY CONDUCT

44. **All members must observe the Code of Conduct, adopted by the Council in 2007². A copy is annexed to these Standing Orders.**
45. No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
46. If, in the opinion of the Chairman, a member has acted in a manner contrary to that required, the Chairman shall express that opinion to the Council and, thereafter, any member may move that the member named be no longer heard or that the member named do leave the meeting. A motion to this effect, if seconded, shall be put forthwith and without discussion. **If a member has reason to believe that another member is in breach of the Code of Conduct, then that member is duty-bound to report that perceived breach to the local Monitoring Officer.**

² The Council agreed on 25th April 2007 to be bound as of 3rd May 2007 by The Local Authorities (Model Code of Conduct) Order 2007 (Statutory Instrument No.1159), with specific reference made on 25th July 2007 to its adoption of Clause 12(2) thereof: Council minutes 427/06 and 90/07 refer.

47. If a motion of the type referred to in Standing Order 46 is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce it.

RIGHT OF REPLY

48. 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. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF RESOLUTION

49. A member may, with the consent of his or her seconder, move amendments to his or her own resolution.

RESCISSION OF PREVIOUS RESOLUTION

50. A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least six members of the Council, or by a resolution moved in pursuance of the report or recommendations of a Committee.
51. When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES

52. 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 or Committee (as the case may be) has decided whether or not the public shall be excluded (see Standing Order 75 below).

EXPENDITURE

53. **Orders for the payment of money shall be authorised by resolution of the Council. All instruments of payment (e.g. cheques) shall be signed by two members of the Finance & General Purposes Committee. The Financial Regulations of the Council make further reference to procedures, which must be adhered to at all times.**

SEALING OF DOCUMENTS

54. A document shall not be sealed on behalf of the Council unless its sealing is authorised by a Council resolution. Normal practice will require prior authorisation by the Council. In special circumstances, authorisation can be retrospective, but this must be obtained at the first available opportunity following the sealing.
55. The Council's Common Seal shall alone be used for sealing documents. It shall be applied by the Clerk as proper officer in the presence of the Town Mayor as Chairman of the Council, with both signing not only the document itself but also the entry required in the Seal Register.

COMMITTEES AND SUB-COMMITTEES

56. The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision that may apply:
 - (a) shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting;
 - (b) may appoint persons other than members of the Council to any Committee as non-voting members; and
 - (c) may, subject to the provisions of Standing Orders 50 and 51 above, at any time dissolve or alter the membership of a Committee.
57. The Town Mayor as Chairman of the Council shall be a voting member of every Committee.
58. Every Committee shall, at its first meeting before proceeding to any other business, elect a Chairman and Vice-Chairman, who shall hold office until the next Annual Meeting of the Council and shall settle its programme of meetings for the year.
59. The Chairman of a Committee or the Town Mayor as Chairman of the Council 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 fewer 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.
60. Every Committee may appoint Sub-Committees for purposes to be specified by the Committee.

61. 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 a Sub-Committee, **the quorum of a Committee or Sub-Committee shall be as follows:**
- (a) **for Committees or Sub-Committees of ten members of more, one-third of its members (the figure to be rounded up when no whole number results);**
 - (b) **for Committees or Sub-Committees of fewer than ten members, a minimum of three members.**
62. Any Standing Orders on rules of debate, interests of members in contracts and other matters shall apply to Committee and Sub-Committee meetings.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

63. The proposer of any resolution referred to a Committee of which the proposer is not a member may explain his resolution to that Committee but shall not vote.

ACCOUNTS AND FINANCIAL STATEMENTS

- 64.
- (a) Except as provided for in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
 - (b) Where it is necessary to make a payment before it has been authorised by the Council, such payments shall be certified as to their correctness and urgency by the Clerk and authorised by two members of the Finance and General Purposes Committee.
 - (c) All payments ratified under paragraph (b) of this Standing Order shall be included in the next schedule of payments laid before the Council as a separate item.
65. The Clerk as Responsible Financial Officer shall supply to each member by 30th June each year a statement of the end-of-year balances for the Financial Year ending on 31st March that year.

ESTIMATES

- 66.
- (a) The Council shall, at its January meeting, approve written estimates for the financial year commencing on 1st April that year.

- (b) Any Committee wishing to incur expenditure shall, not later than December, agree an estimate of expenditure to be recommended for the next financial year.

INTERESTS

67. **If a member in attendance at a meeting has a personal interest in an agenda item, as defined by the Code of Conduct adopted by the Council (see Standing Order 44 above), he or she shall declare such interest as soon as it becomes apparent, disclosing the nature of that interest, as required.**
68. **If a member in attendance at a meeting and declaring a personal interest in an agenda item deems that interest to be prejudicial, then he or she must withdraw from the meeting room during consideration of said item.**
69. **The Clerk shall hold a copy of the Register of Members' Interests, as required by statute and agreed with the local Monitoring Officer, who acts as the Responsible Authority in such matters.**
70. If candidates for any appointment under the Council or potential service providers are, to their knowledge, related to any elected member or senior officer of the Council, they and the person to whom they are related shall disclose the relationship in writing to the Clerk. Job applicants or potential service providers failing to do this must face the consequences. The Clerk shall report to the Council and/or appropriate Committee any such disclosure, having first ensured that any job applicants or potential service providers are aware of this Standing Order.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- 71.
- (a) Canvassing of members, directly or indirectly, by a candidate for any appointment under the Council shall disqualify that candidate. The Clerk shall make this known to every prospective candidate.
- (b) Canvassing of members, directly or indirectly, by a tenderer for work with the Council, shall disqualify that tenderer. The Clerk shall make this known to every prospective tenderer.
- (c) A member of the Council shall not seek to influence any recruitment, internal promotion or tendering process by soliciting his or her fellow members.

INSPECTION OF DOCUMENTS

72. A member may, for the purpose of his or her duty, inspect any document in possession of the Council or a Committee and, if copies

can be made available, shall, on request, be supplied for the like purpose with a copy.

- 73. All minutes kept by the Council and any Committee shall be open for the inspection of any member of the Council.**

UNAUTHORISED ACTIVITIES

74. No member of the Council or of any Committee or Sub-Committee 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 PRESS AND PUBLIC TO MEETINGS

- 75. The press and public shall be admitted to all meetings of the Council and its Committees and Sub-Committees. However, the Council may temporarily exclude the press and public by means of the following resolution:**

“RESOLVED that, pursuant to the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be discussed.”

76. The Council or its Committee shall state the reason for exclusion on every occasion.
77. At all meetings of the Council or its Committees, the Chairman may exercise discretion and, at a convenient moment in the transaction of business, adjourn the meeting to allow any members of the public present to address members on the business at hand.
78. The Clerk shall afford to the press reasonable facilities for making reports of any proceedings at which they are entitled to be present. There shall be no audio or video recordings made or photographs taken of the meeting without the express approval of the Council.
79. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he or she be removed from the meeting room and/or adjourn the meeting for such period as is necessary to restore order.

CONFIDENTIAL BUSINESS

- 80.
- (a) No member of the Council or of any Committee or Sub-Committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the Committee or Sub-Committee.
 - (b) Any member in breach of the provisions or paragraph (a) of this Standing Order shall be removed from any Committee or Sub-Committee of the Council by the Council.

NOTIFICATION OF MEETINGS TO LOCAL MEMBERS OF PRINCIPAL AUTHORITIES

81. Notices of meetings shall be sent to the local members of principal authorities.

PLANNING APPLICATIONS

- 82.
- (a) The Clerk, shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council:
 - (i) the date on which it was received;
 - (ii) the name of the applicant;
 - (iii) the place to which it relates;
 - (iv) a summary of the nature of the application.
 - (b) The Clerk shall refer every planning application received to the next scheduled meeting of the Planning Committee which, as a full Committee of the Council, has been granted delegated authority in all planning matters.

FINANCIAL MATTERS

83. The Council shall review and approve annually Financial Regulations, drawn up by the Clerk as Responsible Financial Officer. These Regulations will include detailed arrangements for the following:
- (a) Accounting records and systems of internal control.
 - (b) Financial risk assessment and management.
 - (c) Financial reporting requirements to members and local residents.
 - (d) Procurement policies.
 - (e) Contracts and tendering.

CODE OF CONDUCT ON COMPLAINTS

84. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer by adhering to any guidelines established by the Standards Board for England.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

85. Any or every part of these Standing Orders, except those printed **in bold type**, may be suspended by resolution in relation to any specific item of business.
86. A resolution permanently to add, vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

STANDING ORDERS TO BE GIVEN TO MEMBERS

87. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's Declaration of Acceptance of Office.

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