
STANDING ORDERS HEDGE END TOWN COUNCIL

**Reviewed 21 December 2022
Full Council (minute 6)**

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Standing Orders General

1. The meeting shall be held at the 2000 Centre, St Johns Road, Hedge End, Southampton at 7.00pm, unless the Council decide otherwise at a previous meeting.
2. The statutory Annual General Meeting shall be held on the third Wednesday in May unless otherwise agreed.
3. Other regular meetings of the Town Council shall be held on the third Wednesday monthly.
4. No Town Council meeting or committee/sub-committee shall be held on the week prior to any public election and/or referendum.

Chair of the Meeting

5. The Chair if present shall preside at the meeting. If the Chair is absent from the meeting, the Vice Chair if present, shall preside. If both the Chair and the Vice Chair are absent from a meeting, a councillor chosen by the councillors present at the meeting shall preside at the meeting.

Proper Officer

6. Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases they shall be the Town Clerk of the Council:
 - (a) To sign and issue the summons to attend meetings of the Council at least 3 clear days before the meeting;
 - (b) To receive declarations of acceptance of office;
 - (c) To hold a copy of declaration of interests;
 - (d) To receive apologies properly submitted to the Town Clerk.
 - (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 bye-laws made by another local authority;
 - (i) To certify copies of bye-laws made by the Council;
 - (j) To keep proper records for all Council meetings;

Quorum of the Council

7. Three members or one-third of the total membership, whichever is the greater of that body, shall constitute a quorum at meetings of the Council, its committees, and any working groups.
8. If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by a reason of a prejudicial interest) falls below the required quorum, the meeting shall either move on to the next agenda item or be adjourned and business not discussed will be transacted at the next meeting.

Voting

9. Members shall vote by a show of hands.
10. If a member so requires, the Town Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.
11. Subject to (a) and (b) below, the Chairman may give an original vote on any matter put to the vote and in a case of an equality of votes, will give the casting vote even though the Chair gave no original vote:
 - a) 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 Chair and Vice-Chair until the end of their term of office, he/she may not give an original vote in the election for a Chair.
 - b) The person presiding must give a casting vote whenever there is an equality of votes in an election of a Chair.

Order of Business of Annual General Meeting

12. In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which Councillors elected take office. Councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of the Proper Officer authorised by the Town Council to accept such Declarations of Acceptance of Office before the Annual Meeting commences.
13. At each Annual Meeting, the order of business shall be:
 - (a) To elect a Chair of the Council;
 - (b) To receive the Chair's Declaration of Office or, if not then received, to decide when it shall be received;

- (c) To elect a Vice-Chair of the Council;
- (d) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations;
- (e) To decide when a Declarations of Acceptance of Office which have not been received as provided by law shall be received;
- (f) To appoint and elect committees, sub-committees and working groups as appropriate and elect a Chair and Vice-Chair of such committees, sub-committees and working groups who shall hold office until the next Annual General Meeting of the Council.
- (g) To appoint representatives to outside bodies;
- (h) To appoint School Governors
- (i) To review and adopt standing orders and financial regulations
- (j) To review the General Power of Competence
- (k) To determine the schedule of ordinary meetings of the Council.

Order of Business/Other Meetings of Council

14. At every meeting other than the Annual Meeting, in the absence of the Chair and Vice-Chair, the first business shall be to appoint a Chair and to receive such Declarations of Acceptance of Office (if any) and to undertake to observe the Council's Code of Conduct as required by law to be made or, if not then received, to decide when they shall be received.
15. Unless the Council otherwise decides on the grounds of urgency, the order of business shall be as follows:
- (a) To receive apologies;
 - (b) Public Questions not on the agenda (Full Council only)
 - (c) Police Report (Full Council only)
 - (d) To read and approve Minutes; provided that 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;
 - (e) Approval of the Minutes to be indicated by signature of the Chair as a true record;
 - (f) To deal with business expressly required by statute to be done;

- (g) To deal with business, if any, remaining from the last meeting;
- (h) To receive and consider reports from other officers of the Council and external reports;
- (i) To receive such communications as the Chair may wish to put before Council;
- (j) To receive and consider reports and minutes of committees;
- (k) To authorise the sealing of documents;
- (l) To consider resolutions or recommendations in the order which they have been notified;
- (m) Other business specified in the Notice;

16. A motion to vary the Order of Business on the grounds of urgency may be proposed by any members and will be put to the vote when seconded without discussion. Such a motion may be proposed by the Chair without being seconded.

Extraordinary Meetings of the Council, Committees and Sub-Committees

17. The Chair may convene an extraordinary meeting of the council at any time.

18. If the Chair does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving time, place and agenda for such a meeting shall be signed by the two councillors.

Motions

19. 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 mover has given notice in writing of its terms and has delivered the notice to the Town Clerk at least 5 clear days before the next meeting of the Council.

20. The Town Clerk shall insert on the summons for every meeting all notices of motions or recommendations properly given in the order in which they have been received unless the members giving notice of motions has stated in writing that they have withdrawn it.

21. 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.

22. If the subject matter of a resolution within the remit of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee, provided that the Chair, if they consider it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
23. Every resolution or recommendation shall be relevant to some question over which the Council has power, or which affects its area.

Public Participation

24. 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 for other special reason. The public's exclusion from part or all of the meeting shall be by a resolution which shall give reasons for the public's exclusion.
25. The Council encourages public participation in all meetings of the Council and its committees subject to:

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

- a. Public Participation on items not included on the agenda;
- b. Members of the public are permitted to speak for a period not exceeding 4 minutes;
- c. Members of the public may speak only once at the meeting in regard to items not included on the agenda;
- d. The Chair has the discretion to limit or relax the period of public questions on each and every case, which shall not usually exceed 15 minutes;
- e. On items included on the agenda, public participation is invited at the time the agenda item is being discussed;
- f. For each agenda item, members of the public are permitted to speak for a limit of 4 minutes;
- g. The Chair has the discretion to limit or relax the period of public involvement in agenda discussion as they consider appropriate but, in any event, shall not usually exceed 15 minutes;

Questions

26. A member may ask the Chair or Clerk any question concerning the business of the Council, provided notice of the question has been given to whom it is addressed before the meeting.
27. No questions not connected with business under discussion shall be asked except during that part of the meeting put aside for questions.
28. A person to whom a question addressed may decline to answer. There will be no debate on questions.
29. The questioner is permitted to ask a supplementary question.

Rules of Debate

30. No discussion on the minutes may take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and initialled by the Chair.
31.
 - (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 handed to him/her in writing before it is discussed further;
 - (b) A member when Seconding a resolution or amendment may, if they then declare their intention, reserve their speech until a later period of the debate;
 - (c) A member shall direct their speech to the question under discussion or to a personal explanation or to a question of order;
 - (d) No speech by a mover shall exceed 5 minutes and no other speech shall exceed 3 minutes except by consent of the Council;
 - (e) An amendment shall be either:
 - (i) To leave words out;
 - (ii) To leave words out and insert or add others;
 - (f) To insert or add words.
 - (g) An amendment shall not have the effect to negate the motion before Council.
 - (h) If an amendment is carried, the resolution amended shall take the place of the original resolution and shall become the resolution on which any further amendment may be moved;
 - (i) A further amendment shall not be moved until the Council has disposed

of every amendment previously moved;

- (j) The mover of a resolution or of an amendment shall have the right of reply, not exceeding 4 minutes;
- (k) A member, other than the mover of a resolution shall not without leave of the Council, speak more than once on any resolution except to move an amendment or further an amendment, or in a point of order, or in a personal explanation or to move a closure;
- (l) A member may speak on a point of order or a personal explanation and will be heard forthwith;
- (m) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion;
- (n) 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 agenda item;
 - (iii) To adjourn the debate;
 - (iv) That the question now be put;
 - (v) That a member named be not further heard;
 - (vi) That the member named does leave the meeting;
 - (vii) That the resolution be referred to a committee;
 - (viii) To exclude the Public and Press;
 - (ix) To adjourn the meeting.

- 32. (a) The ruling of the Chair on a point of order or the admissibility of a personal explanation shall not be discussed;
- (b) Members shall address the Chair;
- (c) If two or more members indicate a wish to speak, the Chair shall call upon one of them to speak and the other will defer;
- (d) Whenever the Chair rises during the debate, all other members shall be seated and silent.

Alternation of Resolution

- 33. A member may, with the consent of their seconder, move an amendment to their own resolution.

Right of Reply

- 34. 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 a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

Closure

35. At the end of a speech, a member may, without comment move that the question now be put or that the Council do now adjourn. If such a motion is seconded, the Chair shall put the motion but, in the case of a motion to put the question, only if the Chair 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, the Chair 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 movers right of reply at the resumption.

Disorderly Conduct

36. No person shall obstruct the transaction of business or behave offensively or improperly. If this standing order is ignored the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
37. If, in the opinion of the Chair, a member has breached the provisions of paragraph 36 of this order, the Chair shall express the opinion to the Council and thereafter any member may move that the member named be no longer heard or be excluded from the meeting. The motion, if seconded, shall be to the vote without discussion.
38. If a resolution under standing order 37 is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

Rescission of Previous Resolution

39. (a) A decision of the Council shall not be reversed within 6 (six) months except by a Special Resolution, the written notice must bear the names of at least 5 (five) members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee;
- (b) When a Special Resolution has been resolved, no similar resolution may be moved within 6 (six) months;
- (c) Committees have the power to resolve decisions within their remit and budgets subject to (a) that the item was advertised on the agenda and circulated to all Council members and (b) to any one member having the

power after 5 working days of the Minutes being published to refer that decision to Full Council.

Voting on Appointments

40. Where two or more persons have been nominated for any position to be filled by the Council and none of those persons have received an absolute majority of vote in their favour, the name of the person having the least number of votes shall be struck off the list and a new vote taken and so on until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chair of the meeting.

Discussions and Resolutions affecting Employees of the Council

41. 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.

Sealing of Documents

42. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution. Any two members named in a resolution of the Council may seal, on behalf of the Council any document required by law to be issued under seal.

Committees and Sub-Committees

43. 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:
- a. shall not appoint any member of a committee so as to hold office later than the next Annual Meeting;
 - b. the Chair and Vice-Chair, *ex officio* shall be members of every committee unless they signify that they do not wish to serve.
 - c. The members of the committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.
44. The Chair of a committee or the Chair of the Council may summon an additional meeting of the committee at any time. An additional meeting of the committee shall also be summoned on the requisition in writing of not less than a quorum of the members of the committee.

45. Every committee may appoint sub-committees for the purposes to be specified by the committee.
46. The Standing Orders on rules of debate, except that part relating to speaking more than once and the Standing Order on interest of members in contracts and other matters shall apply to committee and sub-committee meetings.
47. The Council shall maintain a Scheme of Delegation of items of business that Committees are empowered to resolve on behalf of Council subject to Standing Order 39(c).

Voting in Committees

48. Members of committees and sub-committees shall vote by a show of hands, or, if at least two members so request, by a recorded vote.
49. The Chair of a committee or sub-committee shall in the case of an equality of votes have a second or casting vote.

Presence of Non-Members of Committees at Committee Meetings

50. A member who has proposed a resolution which has been referred to a committee of which they are not a member may explain their resolution to the committee but not vote. Any other member may attend a committee but has no vote.

Accounts and Accounting Statement

51. The council shall appoint appropriate staff member to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.
52. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
53. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council for the year to 31 March. A completed draft annual governance statement shall be presented to all councillors prior to anticipated formal approval by the Council before 30 June.

Financial Controls and Procurement

54. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers

(framework agreement).

Interests

55. If a member has a personal and prejudicial interest as defined by the Code of Conduct adopted by the Council, they shall declare such an interest either at the beginning of the meeting or as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
56. At all meetings of the Town Council, the Chair may permit members of the Council (including co-opted members as defined by s.49 (7) Local Govt. Act 2000) who have a prejudicial interest in relation to any item of business to be transacted at that meeting to:
 - (a) make representations or
 - (b) answer questions or
 - (c) give evidence relating to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly Minuted.
57. The Code of Conduct, which was adopted by the Council shall apply to members of the Council in respect of the entire meeting.
58. Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had an interest.
59. The rights of participation for a Councillor with a prejudicial interest who is entitled to attend Council meetings shall not affect the Town Council's right to exclude the public from a meeting of the Council whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution (s.1(2) Public Bodies (Admission to Meetings) Act 1960).
60. The Town Clerk is required to compile and hold a Register of Members Interests, or copy thereof, in accordance with the legal agreement reached with the Monitoring officer of Eastleigh Borough Council and required by statute.

Appointments

61. If any candidate for any appointment under the Council is to their best knowledge and belief related to any member of or the holder of any officer, they are required to disclose this 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.

Canvassing and Recommendation of Members

62. Canvassing of members or of any committee directly or indirectly for any appointment under the Council shall disqualify the candidate for such appointment.

63. 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 promotion.

Inspection of Documents

64. In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.

65. A member may, for the purpose of their duty (but not otherwise), inspect any document in possession of the Town Council or a committee and if copies are available shall, on request, be supplied with a copy.

66. All Minutes kept by the Council any by any committee shall be open for the inspection of any member of the Council.

Managing Data

67. The council shall have policies and procedures in place to manage the data it holds, responding to and managing personal data.

Restrictions on Councillor Activities

68. No member of the Council shall in the name of or on behalf of the Council inspect any land or premises which the council has a right to inspect or issue orders, instructions or directions unless authorised by the Council or the relevant committee or sub-committee.

Admission of the Public and Press to Meetings

69. The Clerk shall afford the Press reasonable facilities for taking their reports of any proceedings at which they are entitled to be present. To 'report' means to film, photograph, make an audio recording of meeting proceedings, use any other means to enabling persons not present, to see or hear the meeting as it takes place or to report or to provide oral or written commentary about the meeting.

70. If any member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that they be removed from the meeting.

Confidential Business

71. No member of the Council or of any committee or subcommittee shall disclose to any person nor a member of the Council any business declared to be confidential by the Council, the committee or sub-committee as the case may be.
72. Any member in breach of the provision of paragraph 69 above shall be removed from any committee or subcommittee by the Council.

Liaison with County and Borough Councillors

73. A notice of meeting shall be sent together with an invitation to attend to the County and Borough Councillors for the parish.

Code of Conduct Complaints

74. 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 the Council, except for those complaints which should be properly directed either to the Monitoring Officer or the Standards Board for England, for consideration.
75. Upon notification by the District Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.

Variation, Revocation and Suspension of Standing Orders

76. Any or every part of these Standing Orders except those as required by Government legislation may be suspended by resolution to any specific item of business.
77. A resolution permanently to add, vary or revoke a Standing Order shall when proposed, stand adjourned without discussion to the next ordinary meeting of the Council.

Standing Orders to be given to Members

78. The Proper Officer shall provide a copy of the Council's Standing Orders to each member upon signing the Declaration of Acceptance, undertaking to observe the Code of Conduct.