

MEETING REPORT

Meeting: Policy & Resources Committee, 19th February 2024
Agenda item: PR23/060
Report subject: Standing Orders
Report author: K Elliott-Turner, Town Clerk

TO BE READ IN CONJUNCTION WITH REVISED DRAFT STANDING ORDERS

Standing order	Comment
3 various	Within this section, where reference is made to public participation, there are a few additions to clarify further.
3(dd)	The current standing orders allow for a majority agreement to extend an overrunning council meeting to 10pm on the same day. This would mean a potential meeting length of 3 hours, which is not considered productive. The revised relevant section now allows for agreement by resolution to extend the meeting, but to complete current agenda item, or urgent items that cannot wait until the next meeting. And then the meeting closes, and business not concluded after that agreed finish time is deferred to another meeting.
3(ee)	Addition of confirmation that extra council meetings may be called as and when required.
3(ff)	Addition of confirmation that extra committee meetings may be called as and when required.
4(e)	Clarification that determination of additional members of Policy and Resources Committee is to be made annually by full council – the Chair of council cannot determine this.
4(f)	The current standing orders state that the Chair and Vice-Chair shall be ex officio members of all committees, but that if both are present, only the Chair is permitted to vote. It is not immediately clear why this has been introduced to this council's standing orders. The recommended wording as per model document has been used for the revision, which just states that both are ex officio members.
4(g)	Addition of model wording to permit Chair and Vice-Chair of the committee appointing a sub-committee, to be members of that sub-committee, unless they signify that they do not wish to.
4(h)	Amended item to clarify that councillors who are not members of a committee, may attend that committee meeting (with exception of Personnel Committee). They may only speak or sit at the meeting table if invited to do so by the Chair. As non-committee members, they may not vote at that meeting.
5	Addition of new section regarding advisory committees/working groups – this is to clarify difference between committees which have decision making responsibilities (where delegated) and spending powers (where delegated), and advisory committees/working groups, which may only make recommendations.
7	Amendments to order of business to reflect order currently employed. Also confirms that the public section is within the formal meeting as an agenda item, and therefore there is no requirement to suspend standing orders to allow public to speak within the specified item as there is already an order which allows this. Where a member of the public wishes to speak outside of that specific public participation item, and is permitted to do so, then standing orders need to be suspended, and reinstated at the completion of their speaking time.

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8	Addition of new section regarding the Annual Town Meeting, to ensure clarification as to its purpose and format it may take.
10(a)	<p>The number of councillors required to sign a motion to consider reversing a previous resolution is highlighted for consideration. Current standing orders require 9, however this is considered a high number against our total council membership of 16. This standing order would also apply to committees, and as our standing committees have a maximum membership of 7, it is recommended that the number be lowered to enable this standing order to be effective. Common practice is for this figure to be around one third of council membership, and so rounding up, this would give us 6 members required.</p> <p>As the standing order also enables a committee recommendation to produce a motion to consider reversing the resolution, it seems sensible to reduce the figure required to 5?</p>
13	Removal of some listed motions that do not require written notice, because they are covered elsewhere in standing orders, and do require them to be a written notice motion.
17 various	Current standing orders 17(b) and (c) have been removed, as they no longer apply. All complaints relating to councillors must go through the Monitoring Officer at the District Council, and under no circumstances may be considered by the town council (see new 17(b) and notes below). Current 17(a) from the model standing orders remains.
17(b)	This is highlighted because it requires a decision, and is an item in bold. Following recent case law <i>Harvey v Ledbury</i> (2018), this Standing Order is no longer effective. The Town Council has no power to take any action other than to report to the Monitoring Officer. As this is order is in bold type, it related to previous legal or statutory requirements. However, that has been superseded. Legal advice is that, because it is in bold, in order to remove it we must resolve to do so, or we may leave it within the document, but acknowledging that it is inoperative. Recommendation is, for future clarity, to resolve to remove it from Standing Orders.
18(b)(xix)	This is an additional section to clarify delegated responsibility of the Proper Officer, as referred to in current standing orders 'Delegated Authority' (newly numbered 30(c)).
27(b)	This is highlighted because it requires a decision. The current standing orders state that unless council determines otherwise, a copy of each letter sent to the District and County Council shall be copied to the Ward Councillor. It is felt that this is not always necessary, and should be left to officers to determine. Also, use of emails is preference over letters. Consider removal of this standing order.
27(d)	Additional wording to clarify purpose of District and County Councillor reports to council.
30(a)	Addition to para, to refer to a 'Scheme of Delegation'. This will be drafted for consideration and adoption.

In general:

- some of the current standing orders have been removed, due to repetition
- reference to Mayor (and therefore Deputy Mayor) removed. The role of Mayor is a civic one, acting as a figure head and first citizen of the town, promoting civic pride. The Deputy Mayor attends functions when the Mayor is unable to do so. The role of Chair (Chairman) is to lead the council, to chair meetings so that council's business can be carried out efficiently, with regard to the rights of councillors and the interests of the community. As this document relates to governance of the council, rather than civic matters, reference to this role is as the Chair (Chairman).