

STANDING ORDERS

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**RoP
01**

The Annual Meeting of the Council

01 Timing and business

The annual meeting will take place on the first Tuesday in May. In an election year it will be the second Tuesday after the election.

The Term of Office for the Mayor of the Council and for the Deputy Mayor shall be one year.

Councillors who wish to stand as candidates for the Offices of Mayor or Deputy Mayor shall apply in writing to the Town Clerk no later than 10 working days before the Annual Meeting.

The candidates' application should include an introductory note of up to 1000 words or 2 sides of A4 paper, including any photographs or illustrations, describing their background, experience and vision for the year ahead. The note shall be circulated with the papers for the Annual Meeting.

At the Annual Meeting each candidate may address the Council for up to 3 minutes using slides from their introductory note if they wish to.

The Councillors shall vote using written ballots. The Town Clerk shall count the votes and return the result to the person presiding who shall announce the result.

The members attending the Statutory Annual Meeting will:

- Elect a person to preside during the election of the Mayor if the outgoing Mayor is not present.
- Elect the Mayor.
- Elect the Deputy Mayor.
- Receive any apologies for absence.
- Receive any declarations of interest from members
- Receive public questions or statements
- Ratify the Constitution, Standing Orders and Finance Regulations.
- Appoint such committees as the Council considers appropriate and receive nominations of councillors to serve on each committee (where rules do not apply) and outside bodies where applicable
- Agree the size and terms of reference for those committees (as set out in Part 3).
- Agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of the Constitution)
- Approve the minutes of the last meeting.
- Receive any announcements from the Mayor and/or Clerk to the Council.
- Approve a programme of ordinary meetings of the Council for the year.
- Consider any business set out in the notice convening the meeting.

**RoP
02**

Ordinary Meetings of the Council

01 Timings and Business

Ordinary meetings of the Council will take place 11 times per annum on the first Tuesday of the month. Committee Meetings will be held monthly between Full Council meetings.

Order of Business

- Elect a person to preside if the chairman and vice chairman are not present.
- To receive Public Questions in accordance with Rule of Procedure 10.
- To receive questions from members in accordance with Rule of Procedure 11.
- After consideration to approve the minutes of the last meeting .
- Receive any declarations of interest from members.
- Deal with any business from the last Council or Committee meetings.
- Receive reports from the Council's committees and receive questions and answers on any of those reports.
- Consider motions.
- Consider any other business specified in the summons to the meeting.
- Consider proposals in relation to the Council's budget and policy framework.

RoP 03 Extraordinary Meetings of the Council

01 Calling extraordinary meetings. Those listed below may request the Clerk of the Council to call Council meetings in addition to ordinary meetings:

- The Council by resolution.
- The Mayor.
- The Clerk to the Council.
- Any five members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

RoP 04 Time and Place of Meetings

Meetings of the Council shall normally be held alternately at Antrobus House, and The Bowman Centre, Amesbury, at 7.15pm unless the Council otherwise decides. The Committee meetings shall normally be held at the Bowman Centre, Amesbury at 7.15pm. Venue and timings will be confirmed or notified by the Clerk to the Council in the summons. Sub-committees and panels will meet at such venues and times as shall be notified by the Clerk to the Council.

RoP 05 Notice and Summons to Meetings

The Clerk to the Council will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Clerk to the Council will send a summons signed by him or her by post or email to every member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

RoP 06 Chair of Meeting

The person presiding at the meeting may exercise any power or duty of the chairman. Where these rules apply to committee and sub-committee meetings, references to the chairman also include the chairman of committees and sub-committees.

RoP Quorum

- The quorum of a meeting of the full Council shall be six (6), being the whole number of members next above one third of the membership (with any declarations of interest, this should be no less than 3 of the remainder)
- The quorum of a meeting of the Policy Group shall be three (3), being the whole number of members next above one third of the membership.
- The quorum of a meeting of the Amenities Committee shall be the whole number of members next above one third of the members.
- The quorum of sub-committees and panels shall be the whole number of members next above one half of the membership.

If during any meeting the Chairman determines that there is not a quorum present, then the meeting will adjourn immediately¹. Remaining business will be considered at a time and date fixed by the chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

RoP 08 Duration of Meeting

Unless the majority of members present vote for the meeting to continue, any meeting that has lasted for 3 hours will adjourn immediately. Remaining business will be considered at a time and date fixed by the chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

RoP 9 Questions by the Public

- 01 **General.** 30 minutes will be set aside at the start of every meeting so that Members of the Public may ask questions of or make statements etc to the Mayor and relevant chairman of other bodies of the Council. The Mayor has the discretion to extend the period.
- 02 **Only residents of Amesbury may ask questions or make a statement**
- 03 **Order of questions/statements.** Questions/statements will be asked /made in the order notice of them was received, except that the Mayor may group together similar questions/statements.
- 04 **Notice of questions/statements.**
- Each question or statement must give the name and address of the questioner.
 - A question or statement should wherever possible be delivered in writing or by electronic mail to the Clerk of the Council no later than midday on the working day before the day of the meeting.
 - The Chairman may, at his or her discretion, permit a question to be asked or a statement made without notice. Members of the Public must be aware that it is not always possible to give immediate answers to questions or statements made without notice.
- 05 **Scope of questions/statements** The Chairman or Clerk to the Council may reject a question or statement if it:
- Is not about a matter for which the Council has a responsibility or which does not affect the town.
 - Is defamatory, frivolous or offensive.
 - Is substantially the same as a question/statement which has been put at a meeting of the Council or one of its committees etc in the past six months.

¹ Membership falling below the quorum during a meeting will be for one of two reasons: members leaving early; or members having a prejudicial interest in a matter. In the latter case the Chairman may choose to defer the item affected and to continue with the remainder of the Meeting.

- Requires the disclosure of confidential or exempt information.
- Relates to complaints about individual members or officers.

06 **Record of questions/statements.** The Clerk to the Council will enter each question or statement in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put/made. Rejected questions or statements will include reasons for rejection. Copies of all questions or statements will be circulated to all members and will be made available to the public attending the meeting.

07 **Asking the question/statement at the meeting.** The chairman will invite the questioner to put the question or statement. If a questioner who has submitted a written question is unable to be present, they may ask the chairman to put the question or statement on their behalf. The clerk may: ask the question on the questioner's behalf and indicate that a written reply will be given.

08 **Response.** An answer may take the form of:

- **Oral answer.** Where possible questions will be answered during public question time by means of a direct oral answer.
- **Written answer.** Where the reply cannot conveniently be given orally or the question cannot be dealt with immediately, either because of lack of notice, lack of time.

09 **Supplementary questions.** A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The chairman may reject a supplementary question on any of the grounds in Rule 10.4 below.

10 **Reference of question to a committee.** Unless the chairman decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

**ROP
10**

Questions by Members

01 **Questions without Notice on Reports of the Council.** A member of the Council may ask the Mayor any question without notice upon an item of the report of a committee when that item is being received or under consideration by the Council.

02 **Questions on notice at full Council.** Subject to Rule 10.4 a member of the Council may ask the Mayor or the chairman of any committee or sub-committee a question on any matter in relation to which the Council has powers or duties or which affects the Town.

03 **Questions on notice at committees and sub-committees.** Subject to Rule 10.4, a member of a committee or sub-committee may ask the chairman of it a question on any matter in relation to which the Council has powers or duties or which affect the Town and which falls within the terms of reference of that committee or sub-committee.

04 **Notice of questions.** A member may only ask a question under Rule 10.2 or 10.3 if either:

- He or she has given at least 7 working days notice in writing of the question to the Clerk of the Council.
- The question relates to urgent matters, they have the consent of the Chairman to whom the question is to be put and the content of the question is given to the Clerk to the Council by noon on the day of the meeting.

05 **Response.** An answer may take the form of:

- A direct oral answer.
- Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

06 **Supplementary question.** A member asking a question under Rule 10.2 or 10.3 may ask one supplementary question without notice of the member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply

ROP 11 Resolutions Moved on Notice

No resolution may be moved unless the business to which it relates has been put on the agenda by the Clerk to the Council.

- 01 **Notice of Motion.** Except for motions which can be moved without notice under Rule 13, written notice of every motion, signed by the member, must be delivered to the Clerk of the Council not later than 7 clear working days before the date of the meeting.
- 02 **Record of Motions.** The Clerk to the Council shall date every notice of resolution or recommendation when received by him/her, shall number each notice in the order in which it was received and shall enter it into a book which shall be open to public inspection.
- 03 **Motion set out in agenda.** Motions for which notice has been given will be listed on the agenda in the order in which notice was received.
- 04 **Motion Deferred or Withdrawn.** The member giving notice may state, in writing, that he/she proposes to move it to a later meeting or withdraw it.
- 05 **Motion treated as Withdrawn.** If a recommendation or resolution 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 again without fresh notice..
- 06 **Scope.** Motions must be about matters for which the Council has a responsibility or which affect Amesbury Town

ROP 12 Resolutions Moved Without Notice.

The following motions may be moved without notice:

- 01 To appoint a chairman of the meeting at which the motion is moved.
- 02 To correct an inaccuracy of the minutes.
- 03 To approve the minutes.
- 04 To change the order of business in the agenda.
- 05 To refer something to an appropriate body or individual.
- 06 To appoint a committee or member arising from an item on the summons for the meeting.
- 07 To receive reports or to adopt recommendations of committees or officers and any resolutions following from them.
- 08 To withdraw a motion.
- 09 To amend a motion.
- 10 To proceed to the next business.
- 11 To adjourn a debate.
- 12 To adjourn a meeting.
- 13 That the meeting continue beyond 3 hours in duration.

- 14 To suspend a particular council procedure rule.
- 15 To exclude the public and press in accordance with the Access to Information Rules.
- 16 To not hear further a member named under Rule 20.01 or to exclude them from the meeting under Rule 20.02.
- 17 To give the consent of the Council where its consent is required by this Constitution.

**ROP
13**

Notice of Motion Rules of Debate

- 01 **No speeches until motion seconded.** No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.
- 02 **Right to require motion in writing.** Unless notice of the motion has already been given, the chairman may require it to be written down and handed to him/her before it is discussed.
- 03 **Secunder's speech.** When seconding a motion or amendment, a member may reserve their speech until later in the debate.
- 04 **Content and length of speeches.** Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed **5** minutes without the consent of the chairman.
- 05 **When a member may speak again.** A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:
 - To speak once on an amendment moved by another member.
 - To move a further amendment if the motion has been amended since he/she last spoke.
 - If his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried).
 - In exercise of a right of reply.
 - On a point of order.
 - By way of personal explanation.
- 06 **Amendments to motions.**
 - An amendment to a motion must be relevant to the motion and will either be:
 - To refer the matter to an appropriate body or individual for consideration or reconsideration.
 - To leave out words.
 - To leave out words and insert or add others.
 - To insert or add words.
 As long as the effect of any amendment is not to negate the motion.
 - Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
 - If an amendment is not carried, other amendments to the original motion may be moved.
 - If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
 - After an amendment has been carried, the chairman will read out the amended

motion before accepting any further amendments, or if there are none, put it to the vote.

07 **Alteration of motion**

- A member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- Only alterations which could be made as an amendment may be made.

08 **Withdrawal of motion.** A member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

09 **Right of reply**

- The mover of a motion has a right to reply at the end 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 has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- The mover of the amendment has no right of reply to the debate on his or her amendment.

10 **Motions which may be moved during debate.** When a motion is under debate, no other motion may be moved except the following procedural motions:

- To withdraw a motion
- To amend a motion
- To proceed to the next business
- To adjourn a debate
- To adjourn a meeting
- That the meeting continue beyond 3 hours in duration
- To exclude the public and press in accordance with the Access to Information Rules
- To not hear further a member named under Rule 20.01 or to exclude them from the meeting under Rule 20.02

11 **Closure motions**

- A member may move, without comment, the following motions at the end of a speech of another member:
 - To proceed to the next business.
 - That the question be now put.
 - To adjourn a debate or to adjourn a meeting.
- **Motion to proceed to next business.** If a motion to proceed to next business is seconded and the chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- **Motion to adjourn the debate or to adjourn the meeting.** If a motion to adjourn the debate or to adjourn the meeting is seconded and the chairman

thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

12 **Point of order.** A member may raise a point of order at any time. The chairman will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the chairman on the matter will be final.

13 **Personal explanation.** A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the chairman on the admissibility of a personal explanation will be final.

ROP 14 **The Town Meeting**

01 **Calling of debate.** The Mayor will call a Town Meeting on the date of the annual meeting and to follow that meeting.

02 **Form of the Meeting.** The Mayor will decide the form of the meeting with the aim of enabling the widest possible public involvement and publicity. This may include presentations by committee chairmen and/or appointed members.

03 **Chairing of the Meeting.** The meeting will be chaired by the Mayor.

04 **Results of Meeting.** The results of the meeting will be:

- Disseminated as widely as possible within the community and to agencies and organisations in the area.
- Considered by the Mayor and Council in proposing the policy framework for the coming year

ROP 15 **Previous Decisions and Motions**

01 **Motion to rescind a previous decision.** A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 6 members.

02 **Motion similar to one previously rejected.** A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 6 members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

ROP 16 **Voting**

01 **Majority.** Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put.

02 **Chairman's casting vote.** Subject to 03 and 04 below, if there are equal numbers of votes for and against, the chairman will have a second or casting vote. There will be no restriction on how the chairman chooses to exercise a casting vote.

03 **Chairman at the Annual Meeting who has ceased to be a Member of the Council.**

- If the person presiding at the Annual Meeting would have ceased to be a member of the Council but for the provisions of Article 02.201² he/she may not

² "the Mayor and Deputy Mayor shall retain office until such time as their successors are properly elected at the Statutory Annual Meeting.."

give an original vote in an election for Mayor.

- The person presiding at the Annual Meeting must give a casting vote whenever there is an equality of votes in the election for a Mayor.

- 04 **Show of hands.** Unless a ballot or recorded vote is demanded under Rules 16.5 and 16.6, the chairman will take the vote by show of hands.
- 05 **Ballots.** The vote will take place by ballot if the majority of members present at the meeting demand it. The chairman will announce the numerical result of the ballot immediately the result is known.
- 06 **Recorded vote.** If the majority of members present at the meeting demand it, (except at full Council where 3 people standing will suffice) the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot. A recorded vote can only be taken on matters being determined by that body and not on recommendations or referrals.
- 07 **Right to require individual vote to be recorded.** Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.
- 08 **Voting on appointments.** If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

ROP 17 Minutes

- 01 **Signing the minutes.** The chairman will sign the minutes of the proceedings at the next suitable meeting. The chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.
- 02 **No requirement to sign minutes of previous meeting at extraordinary meeting.** Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.
- 03 **Form of minutes.** Minutes will contain all adopted motions and amendments in the exact form and order the chairman put them.

ROP 18 Record of Attendance

The record of member attendance shall be by way of a list in the Minute Book.

ROP 19 Exclusion of Public

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or R21 (Disturbance by Public).

ROP 20 Members' Conduct

- 01 **Member not to be heard further.** If a member persistently disregards the ruling of the chairman by behaving improperly or offensively or deliberately obstructs business, the chairman may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

02 **Member to leave the meeting.** If the member continues to behave improperly after such a motion is carried, the chairman may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

03 **General disturbance.** If there is a general disturbance making orderly business impossible, the chairman may adjourn the meeting for as long as he/she thinks necessary.

**ROP
21** **Disturbance by Public**

01 **Removal of member of the public.** If a member of the public interrupts proceedings, the chairman will warn the person concerned. If they continue to interrupt, the chairman will order their removal from the meeting room.

02 **Clearance of part of meeting room.** If there is a general disturbance in any part of the meeting room open to the public, the chairman may call for that part to be cleared.

**ROP
22** **Members' Interest**

01 Any Member who has a personal and prejudicial interest within the meaning of Section 94 of the Local Government Act 1972 in any matter under consideration by the Council, a committee or sub-committee shall declare the nature of that interest and be given an opportunity to do so by the Chair or as soon as possible thereafter.

02 Any Member with a prejudicial interest shall withdraw from the meeting and the room until the end of the debate on the matter in which he or she has an interest unless;

- A dispensation has been granted by the Standards Committee.
- The interest is in a matter which is under consideration only by reason of a report on the minutes of a meeting and the item discussed is not in itself subject of the debate.
- The Code of Conduct allows exceptions.

03 Any Member with a personal interest only defined by the Code of Conduct for Members forming part of the Constitution of the Council shall disclose their interest as above but may remain, speak and vote.

04 Register of Member and Officer Interests. The Clerk to the Council shall keep a record of all Member and Officer interests declared during the meetings of the Council, its committees or sub-committees. This record shall be kept open during office hours for the inspection of any Member of the Council.

**ROP
23** **Suspension and Amendment of Council Procedure Rules**

01 **Suspension.** All of these Council Rules of Procedure except ROP 16.6 and 17.2 may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

02 **Amendment.** Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

**ROP
24** **Application to Committees and Sub-Committees**

All of the Council Rules of Procedure apply to meetings of the Council.

ROP

Arrangements for virtual meetings before 7th May 2021 (as a result of the Corona Virus Act 2020)

- 01 **Notice of and Summons to a meeting:** Notice of a meeting will be displayed on the Town Council’s Website. Members will receive a summons to a meeting via email from the Clerk at least three clear days before the meeting. Members without internet access will receive a summons by post.
- 02 **Attendance:** Attendance is via video or audio link. Members must be able to be heard and where practicable seen by a) other attending Members, b) attending members of the public who are to speak and c) attending members of the public who are not speaking.
- 03 **Discussion:** The Chairman will lead the meeting. Members will be offered an opportunity to speak on an item alphabetically and in turn.
- 04 **Voting:** Members will be offered the opportunity to give their vote verbally alphabetically and in turn.
As under ROP 17 05 the vote will take place by ballot if the majority of members present at the meeting demand it. Members will send their vote to the Clerk via email and the result confirmed in a timely manner by the Chairman. If there are equal numbers of votes for and against, the Chairman will have the casting vote.
- 05 **Access to documents:** Documents associated with the meeting will be emailed to Members and made available to the public on the Town Council’s website.
- 06 **Public participation:** If members of the public wish to attend a meeting they must inform the Clerk at least 24 hours before the meeting. The Clerk will send access details to them via email. If members of the public wish to put a question or statement to Members this must be emailed to the Clerk at least 24 hours before the meeting and they must inform the Clerk if they wish to speak at the meeting.
- 07 **General disturbance:** If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks necessary.

Approved at a Meeting of the Council held on 2nd May 2023

Signed: _____

Mayor

Clerk

Review Date: May 2024