
TENBY TOWN COUNCIL

STANDING ORDERS

MEETINGS

1. Meetings of the Council shall be held at the De Valence Pavilion at 7.30 pm in the evening unless the Council otherwise decides at a previous Meeting.
2. **The Statutory Annual Meeting (a) in an election year will normally be held on the Friday of the week following the election and in any event shall be held within 14 days of the election and (b) in a year which is not an election year shall be held on a Friday in May to be decided at the discretion of the Council.**

CHAIRMAN OF MEETING

3. **The person presiding at a Meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.**

PROPER OFFICER

4. 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:-
 - (a) To receive declarations of acceptance of office
 - (b) To receive and record notices disclosing pecuniary interests
 - (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 a County Council
 - (f) To certify copies of bylaws made by the Council
 - (g) To sign summonses to attend Meetings of the Council
 - (h) To provide a minute book for recording the proceedings of Town Council Meetings. In any other case the Proper Officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

QUORUM

5. Four Members shall constitute a quorum, but a motion to suspend Standing Orders shall not be moved without a written notice signed by twice as many Members as constitute the quorum.
6. If a quorum is not present when the Council meets or if during a Meeting the number of Councillors present falls below the quorum, the business not transacted at that Meeting shall be transacted at the next Meeting or on such other day as the Chairman may fix.

VOTING

7. Members shall vote by show of hands, or if at least two Members so request, by signed ballot.
8. **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.**
9. **(1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote.**
(2) Subject to (3) below the Chairman may not give an original vote in the election of the Chairman on any occasion when he will himself immediately after such election retire from the Council.
(3) In any case of an equality of votes, the Chairman may give a casting vote.

ORDER OF BUSINESS

(In an election year Councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of a Proper Officer previously authorised by the Council to take such declaration, before the Annual Meeting commences.)

10. **At each Annual Meeting the first business shall be**
 - (a) **To elect a Mayor.**
 - (b) To receive the Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received
 - (c) To elect a Deputy Mayor.
 - (d) To appoint school managers.
 - (e) To appoint statutory or standing Committees.

- (f) To consider the payment of any subscriptions falling to be paid annually.
- (g) To inspect any deeds and trust instruments in the custody of the Council.
- (h) To appoint Council Representatives to other outside organisations and Committees as required.

and shall thereafter follow the order set out in Standing Order 13.

11. At every Meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Mayor and Deputy Mayor be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.

12. At the second annual Meeting after the ordinary elections the first business shall include consideration of the question whether the pay and conditions of service of existing employees of the Council shall be reviewed (See Standing Order 36.)

13. 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 apologies.
- (b) To approve items of correspondence to Members of press present.
- (c) 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.
- (d) After consideration to approve the signature of the Minutes by the presiding Chairman as a correct record.**
- (e) To deal with business expressly required by statute to be done.**
- (f) To receive such communications as the presiding Chairman may wish to lay before the Council.
- (g) To answer questions.
- (h) To dispose of business, if any, remaining from the last Meeting.
- (i) To receive and consider reports and Minutes of Committees and Advisory Committees.
- (j) To receive and consider reports from Officers of the Council.
- (k) To authorise the sealing of documents.

- (l) To authorise the signing of orders for payment. (This will be unnecessary if there is a Finance Committee.)
- (m) To consider motions or recommendations in the order in which they have been notified.
- (n) Any other business specified in the summons.
- (o) The Council make delegate power to the Town Clerk, either acting solely or in consultation with two Councillors, to make routine decisions, to deal with emergencies or to spend small sums of money up to £350.

14. A motion to vary the order of business on the ground of urgency

- (a) may be proposed by the Chairman or by any Member 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

- 15. Except as provided by these Standing Orders, no resolution be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least five clear days before the next Meeting of the Council.
- 16. The Clerk shall date every notice of motion or recommendation when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every Member of the Council.
- 17. The Clerk shall insert in the summons for every Meeting all notices of motion or recommendation properly given in the order in which they have been received unless the Member giving a notice of motion has stated in writing that he intends to move at some later Meeting or that he withdraws it.
- 18. If a resolution or recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 19. 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 such Committee or to such other Committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the Meeting which it was moved.
- 20. 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

21. 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 motion.**
- (l) To give leave to withdraw a motion or an amendment.**
- (m) To extend the time limit for speeches.**
- (n) To consider otherwise than in Committees a question affecting an employee of the Council.**

(The two following resolutions are governed by the Standing Orders on the admission of public to Meetings.)

- (o) To exclude the press.**
- (p) To exclude the public.**

(The next resolution is governed by the Standing Order on Disorderly Conduct.)

- (q) To silence or eject from the Meeting a Member named for misconduct.**

(The next resolution is governed by the Standing Order on Members interested in

contracts and other matters.)

- (r) To invite a Member having an interest in the subject matter under debate to remain.**
- (s) To give the consent of the Council where such consent is required by these Standing Orders.**

QUESTIONS

- 22. A Member may ask the Chairman any question concerning the business of the Council.
- 23. A Member with or without notice may ask the Chairman of a Committee any question upon the proceedings of the Committee then before the Council if the question is put before the Council's consideration of those proceedings is finished.
- 24. Every question shall be put and answered without discussion.
- 25. A person to whom a question has been put may decline to answer.

RULES OF DEBATE

- 26. 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.
- 27. (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 Chairman, be reduced to writing and handed to him before it is further discussed or put to the Meeting.
- (b) A Member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- (c) A Member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- (d) No speech shall exceed five Minutes, except by consent of the Council.

(The mover of a resolution is sometimes allowed a longer time than others.)

- (e) An amendment shall be either:-
 - (i) To leave out words

- (ii) To leave out words and insert or add others
- (iii) To insert or add words.
- (f) An amendment shall not have the effect of negating the motion 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 be moved until the Council has disposed of every amendment previously moved.
- (i) The mover of a resolution or of an amendment shall have a right of reply.
- (j) 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 amendment, or on an amendment, or on a point of order, or in personal explanation, or to move the closure.
- (k) A Member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A Member rising for these purposes shall be heard forthwith.
- (l) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion, and no Member 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 Member named be not further heard
 - (vi) That a Member named do leave the Meeting

- (vii) That the resolution be referred to a Committee
 - (viii) To exclude the public or the press or both
 - (ix) To adjourn the Meeting.
28. A Member shall stand when speaking unless permitted by the Chairman to sit on account of infirmity.
29. (a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the Chairman.
- (c) If two or more Members rise, the Chairman shall call upon one of them to speak and the others shall resume their seats.
- (d) Whenever the Chairman rises during a debate all other Members shall be seated and silent.

CLOSURE

30. 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 and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he shall forthwith put the motion. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his 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 reply at the resumption.

DISORDERLY CONDUCT

31. (a) No Member shall misconduct himself at a Meeting by persistently disregarding the ruling of the Chairman, by willfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- (b) If, in the opinion of the Chairman, a Member has so misconducted himself, 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, and the motion, if seconded, shall be put forthwith and

without discussion.

- (c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the Meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT OF REPLY

- 32. The mover of a resolution shall have a right to 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

- 33. A Member may, with the consent of his seconder, move amendments to his own resolution.

RESCISSION OF PREVIOUS RESOLUTION

- 34. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least five Members of the Council.
 - (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.
 - (c) This Standing Order shall not apply to resolutions moved in pursuance of the report or recommendation of a Committee.
 - (d) In addition to the provisions of Sub-Section 34 (a) above, the Council may, on receipt of new, clearly relevant information which was not previously available to the Council, reopen debate on a resolution that has been passed by the Council.

VOTING ON APPOINTMENTS

- 35. 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.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

36. 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 No. 59).

SEALING OF DOCUMENTS

37. (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- (b) Any two Members of the Council may seal, on behalf of the Council, any document required by law to be issued under seal.

COMMITTEES AND SUB-COMMITTEES

38. 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 in that behalf:-
- (a) shall not appoint any Member of a Committee so as to hold office later than the next Annual Meeting, and
- (b) may at any time dissolve or alter the Membership of a Committee.
39. The Chairman and Vice-Chairman shall be Members of every Committee.
40. Every Committee shall at its first Meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council.
41. The Chairman of a Committee or the Chairman of the Council may summon a special meeting of that Committee at any time. A Special Meeting shall also be summoned on the requisition in writing of not less 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.
42. Every Committee may appoint Sub-Committees for purposes to be specified by the Committee.
43. The Chairman and Vice-Chairman of the Committee shall be Members of every Sub-

Committee appointed by it unless they signify that they do not wish to serve.

44. 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 the half of its Members.
45. The Standing Orders on rules of debate (except those parts relating to Standing and to speaking more than once) and the Standing Order on interests of Members in contracts and other matter shall apply to Committee and Sub-Committees Meetings insofar as they are appropriate.

ADVISORY COMMITTEES

46. (i) There shall be Advisory Committees, whose name, and number of Members (and the bodies to be invited to nominate Members) shall be as follows:-

Name-Community Centre; Number of Members-Eight; Nominating Bodies-Town Council/Rotary Club.

(2) The Clerk shall inform the Members of each Advisory Committee of the terms of reference of the Committee.

(3) An Advisory Committee may make recommendations and give notice thereof to the Council.

(4) An Advisory Committee may consist wholly of persons who are not Members of the Council.

VOTING IN COMMITTEES

47. Members of Committees and Sub-Committees shall vote by show of hands.

48. Chairmen of Committees and Sub-Committees shall have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

49. A Member who has proposed a motion which has been referred to any Committee of which he is not a Member, may explain his motion to the Committee but shall not vote.

50. Any Council Member shall, unless the Council otherwise orders, be entitled to be present as a spectator at the Meetings of any Committee or Sub-Committee of which

he is not a Member.

INTERESTS

51. If any Member has any financial or other interest within the meaning of 81(1) of the Local Government Act, 2000, in any contract, proposed contract, or other matter, he shall, while it is under consideration by the Council, withdraw from the Meeting unless:-

- (a) The disability imposed upon him by those sections has been removed by the County Council; or
- (b) The Council invite him to remain; or
- (c) The contract, proposed contract or other matter is under consideration as part of the report of a Committee and is not itself the subject of debate.

52. The Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any Member or any Officer of the Council of a financial or other interest in a contract, and the book shall be open during reasonable hours of the day for the inspection of any Member.

53. If a candidate for any appointment under the Council is to his knowledge related to any Member or the holder of any office under the Council, he and the person to whom he 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. Where relationship to a Member is disclosed the Standing Orders on interests of Members in contracts and other matters shall apply.

The Clerk shall make known the purport of this Standing Order to every candidate.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

54. (a) Canvassing of Members or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.

(b) A Member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a Member may give a written testimonial of a candidate's ability,

experience or character for submission to the Council with an application for appointment.

55. Standing Orders Nos. 53 and 54 shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

56. A Member may for the purpose of his duty as such (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.

- 57. (a) All Minutes kept by the Council and by any Committee shall be open for the inspection of any Member of the Council.**

(b)The Minutes of the Council shall be open to inspection by any elector . A copy of all Minutes shall be sent to the local branch of the County Library. All Minutes will also be published on the Council Web Site

UNAUTHORISED ACTIVITIES

- 58.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;

unless authorised to do so by the Council or the relevant Committee or Sub-Committee.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- 59. The public and the press shall be admitted to all Meetings of the Council and its Committees and Sub-Committees, which may, however, temporarily exclude the public or the press or both** by means of the following resolution, viz:-

“That in view of the [special] [confidential] nature of the business about to be transacted, this council resolve to exclude the public from the meeting under the Public Bodies (Admission to Meetings) Act 1960”.

60. The Clerk shall afford to the press reasonable facilities for taking their report of any proceeding at which they are entitled to be present.

61. If a Member of the public interrupts the proceedings at any Meeting, the Chairman may, after warning, order that he be removed from the Council Chamber or that the

part of the Chamber open to the public be cleared.

CONFIDENTIAL BUSINESS

62. 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 the Sub-Committee as the case may be.

LIAISON WITH COUNTY COUNCILLORS

63. A notice of Meeting shall be sent together with an invitation to attend to the County Councillor for the ward.
64. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County Council shall be transmitted to the County Councillor for the ward as the case may require.

PLANNING APPLICATIONS

65. (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 to the Council within 14 days of receiving it.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

66. Any part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.
67. A motion permanently to vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary Meeting of the Council.
68. These Standing Orders should be periodically reviewed and revised in light of new legislation from the National or Welsh Assembly government.

STANDING ORDERS TO BE GIVEN TO MEMBERS

69. A printed 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.