

**MINUTES OF A MEETING OF THE POLICY & RESOURCES COMMITTEE HELD IN THE
COUNCIL CHAMBER, TOWN HALL, MARKET PLACE, NEWBURY
ON MONDAY 18 JULY 2016 AT 7.30PM.**

PRESENT

Councillors Howard Bairstow; Jeff Beck; Adrian Edwards; David Fenn; Dave Goff (Chairperson); Elizabeth O'Keeffe; Margo Payne; Tony Stretton; Julian Swift-Hook; Martha Vickers.

IN ATTENDANCE

Hugh Peacocke, CEO
Gillian Durrant, RFO

1. APOLOGIES FOR ABSENCE

Councillors Sarah Greenall, Anthony Pick.

2. DECLARATIONS OF INTEREST AND DISPENSATIONS

The Chief Executive Officer declared that Councillors Howard Bairstow, Jeff Beck, Adrian Edwards and Dave Goff are also Members of West Berkshire Council, which is declared as a general interest on their behalf and a dispensation is in place to allow them to partake in discussions relating to West Berkshire Council business.

3. MINUTES

PROPOSED: Councillor Julian Swift-Hook

SECONDED: Councillor Jeff Beck

RESOLVED: That the minutes of the meeting of the Policy & Resources Committee held on Monday 25 April 2016 be approved as a correct record and signed by the Chairperson.

4. QUESTIONS AND PETITIONS FROM MEMBERS OF THE PUBLIC

There were none.

5. MEMBERS' QUESTIONS AND PETITIONS

Councillor Julian Swift Hook asked the following question:

“Much has been said recently, and quite rightly so too, about the importance to our town centre economy of visitors to Newbury arriving by coach. It is therefore extremely important that our visitors get a good impression of our town when they arrive.

The first thing that coach passengers see when they disembark from their coaches is the information boards in the coach station passenger shelters. Unfortunately, however, the content of these information boards is currently in very poor condition, and in some cases is seriously out of date.

For example, there is a sign directing people to the Newbury Tourist Information Centre, which as we all know, closed nearly 3 months ago. And there is a map of

Newbury town centre which is so badly faded by sunlight that it is unviewable. Other signs in the information boards are crooked and overlap other signs, too.

Overall, this gives a very bad first impression to visitors to our town, and as we all know, you only get one chance to make a first impression.

Will this council take action, perhaps working with Newbury BID and West Berkshire Council, to update this signage, tidy up the information boards, and ensure that visitors to Newbury arriving by coach get the best possible impression of our town from the moment they step from their coach?"

The Chairperson gave the following response:

"Thank you for bringing this matter to our attention. I totally agree that our visitors should get a good impression of our Town when they arrive. Officers have been requested to address this matter immediately and to ensure that these shelters give a proper welcome and impression to our visitors arriving in the Coach Park."

6. HEALTH AND SAFETY REPORT

The RFO explained that since publication in the agenda, items HS10, HS12, HS14 and HS15 have been updated, and completion dates are now all in 2017. The information was received and noted by the Committee.

7. LIST OF PAYMENTS

PROPOSED: Councillor Margo Payne

SECONDED: Councillor Julian Swift-Hook

RESOLVED: That the lists of payments for the periods 1 April 2016 to 30 June 2016 is authorised.

The RFO is to ask RBS Omega if there is a way to display a suitable narrative on the list of payments in cases where there are multiple items on one invoice. Failing this, the CEO suggested that these payments would be listed with a more generic narrative applicable to each item, e.g. 'various stationery items'.

8. INCOME AND EXPENDITURE ACCOUNT, QUARTER 1, 2016/17

The income and expenditure account to March 2016 was received and noted by the Committee.

PROPOSED: Councillor Julian Swift-Hook

SECONDED: Councillor Adrian Edwards

RESOLVED: That the overspend shown against the account code on Agenda Appendix 5 be covered by viring sufficient funds from the 'Extra Security Measures' budgets of other allotment sites.

PROPOSED: Councillor David Goff

SECONDED: Councillor David Fenn

RESOLVED: That the RFO agree a new repayment schedule of rent arrears with the Town Hall tenant, and that the situation be reviewed by Councillors at the next meeting of this committee on 17 October, taking into account the regularity and amount of payments made at that date. The RFO will prepare a recommendation for the next meeting.

Councillors Adrian Edwards and Tony Stretton voted against the decision.

9. **AUDIT WORKING GROUP**

PROPOSED: Councillor David Fenn

SECONDED: Councillor Tony Stretton

RESOLVED: That the Treasury Management Policy be adopted.

PROPOSED: Councillor David Fenn

SECONDED: Councillor Julian Swift-Hook

RESOLVED: That the Unity Trust Account be closed and future direct debits from Market Traders will be collected by a company known as "GoCardless".

10. **INTERNAL AUDIT REPORT**

The final interim internal audit report for the financial year 2015-16 from Auditing Solutions Ltd, as attached at Appendix 5 to the agenda, was received and noted by the Committee.

11. **SHAW CEMETERY CHARGES**

PROPOSED: Councillor Tony Stretton

SECONDED: Councillor Julian Swift-Hook

RESOLVED: That the Community Services Manager takes a recommendation to the next Community Services Committee to increase the burial charges at Shaw Cemetery.

12. **VOLUNTEER CENTRE WEST BERKSHIRE**

PROPOSED: Councillor Julian Swift-Hook

SECONDED: Councillor Elizabeth O'Keeffe

RESOLVED: That Councillor Margo Payne be appointed as the Town Council's representative to the Board of Trustees of the Volunteer Centre West Berkshire.

13. **GRANTS SUB-COMMITTEE**

Members received a verbal report regarding the recent meeting of the Grant Sub-Committee held on Wednesday 6 July 2016. 21 grants were approved, totalling the budget of £10,550. The committee requested that £10,000 be included in the budget for grants in 2017/18. Furthermore that Policy and Resources consider paying other annual grants via the 'Find me a Grant' website in order to attract matching funding

14. REVIEW OF STANDING ORDERS

PROPOSED: Councillor David Goff
SECONDED: Councillor Julian Swift-Hook

RESOLVED: Section 16.2 of the Standing Orders be amended to read ‘members of the public shall have the right to ask any questions concerning the business of the council for 20 minutes of any meeting at the discretion of the chairperson of that meeting’.

PROPOSED: Councillor Tony Stretton
SECONDED: Councillor Julian Swift-Hook

RESOLVED: That the Standing Orders attached at appendix 8 & 8.1 of the agenda be resolved as amended in the attached document.

The Chief Executive thanked Councillors Anthony Pick, Julian Swift-Hook, and David Fenn for their help in the review of the Standing Orders.

15. MAYOR’S BENEVOLENT FUND FINANCIAL REPORT 2015/2016

The information was received and noted by the Committee.

16. SECTION 106 MONIES

PROPOSED: Councillor Elizabeth O’Keeffe
SECONDED: Councillor Julian Swift-Hook

RESOLVED: That £15,000 of available Section 106 money be used to upgrade / improve the water supply in Victoria Park.

THERE BEING NO FURTHER BUSINESS, THE CHAIRPERSON DECLARED THE MEETING CLOSED AT 9.19PM.

CHAIRPERSON

List of Standing Orders

1. **Town Mayor**
2. **Deputy Town Mayor**
3. **Leader / Deputy Leader**
4. **Proper Officer**
5. **Responsible Finance Officer / Financial Regulations**
6. **Committees and Sub-Committees**
7. **Meetings**
8. **Annual Meeting**
9. **Quorum**
10. **Named Substitutes**
11. **Presence of Non-Member of Committees at Committee Meetings**
12. **Order of Business**
13. **Admission of the Public and Press to meetings**
14. **Confidential Business**
15. **Discussions and Resolutions affecting employees of the Council**
16. **Questions**
17. **Rules of Debate**
18. **Resolution moved on notice**
19. **Resolutions moved without notice**
20. **Voting**
21. **Rescission of previous resolution**
22. **Adjournment**
23. **Disorderly conduct**
24. **Sealing of Documents**
25. **Interests**
26. **Canvassing of, and recommendations by members**
27. **Inspection of Documents**
28. **Functions reserved to Full Council**
29. **Appointments to Committees**
30. **Delegations to Standing Committees and Sub-Committees of the Council**
31. **Delegations to the Council's Proper Officer**
32. **Code of conduct on complaints**
33. **Use of IT Equipment, including smart phones, in Council Meetings**
34. **Variation, revocation and suspense of Standing Orders**
35. **Standing Orders to be given to Members**

STANDING ORDERS**1. Town Mayor**

- 1.1 The Town Mayor is the Chairperson of the Council.
- 1.2 The Town Mayor is the civic head of the Council, first citizen of the Town. He / She will be a symbol of the authority and an expression of social cohesion.
- 1.3 The Town Mayor will chair meetings of Full Council and, in doing so, will exercise political neutrality.
- 1.4 The Town Mayor will be elected by the Full Council at its Annual Meeting. It is however a convention of the Council that the Deputy Mayor in any year shall, if available, be put forward as Town Mayor for the following year.
- 1.5 In the event of a vacancy in the office of Town Mayor or Deputy Mayor, the Full Council may elect a successor to complete his/her term of office.

2. Deputy Town Mayor

- 2.1 The Full Council will appoint a Deputy Town Mayor at the time the Town Mayor is elected, who shall assume the role of the Town Mayor when the Town Mayor is not present, or unable to fulfil that function.
- 2.2 If for any reason the Town Mayor is unavailable to fulfil the role, the Deputy Town Mayor shall do so.

3. Leader / Deputy Leader

- 3.1 The Leader and Deputy Leader of the Council shall be elected
 - (a) In an Election year at the first Full Council meeting following the ordinary day of Elections to the Council;
 - (b) In a year which is not an Election year at the first Full Council meeting held in May;
 - (c) Whenever a vacancy arises during their term of office.
- 3.2 The Leader will have the following roles:
 - (a) Overseeing the preparation of business for Council consideration.
 - (b) To act as the liaison between the majority group (or coalition administration) of the Council and the Chief Executive Officer in indicating the priorities and programmes of the Group for inclusion in Council business and their likely reaction to new policies or projects.
 - (c) To be the first port of call for the Chief Executive Officer when an issue arises that requires a political or policy response from the Council and the issue does not naturally fall within the terms of reference of any of the standing committees.
 - (d) To direct strategic policy and budget setting
 - (e) To Chair the Council's Policy and Resources Committee and the Staff Sub-Committee
 - (f) To initiate or approve all communications by the Council with the media.
- 3.3 If for any reason the Leader is unavailable to fulfil the role, the Deputy Leader shall do so.

4. Proper Officer

- 4.1 Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council s/he shall be the Chief Executive Officer.

5. Responsible Finance Officer / Financial Regulations

- 5.1 One Officer will be defined as the Responsible Financial Officer (RFO).

The separately defined Financial Regulations (which include the tender process and sign off limits) are an integral part of these Standing Orders.

6. Committees and Sub-Committees

- 6.1 The Full Council may appoint such Committees as it considers appropriate for the purpose of discharging any of its functions, except for the issuing of a precept.
- 6.2 Every Committee may appoint Sub-Committees for purposes to be specified by the Committee.
- 6.3 The Council:
- (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 which does not exercise financial powers and such persons shall have no voting rights; and
 - (c) May at any time dissolve or alter the membership of a Committee.
- 6.4 The Leader of the Council and Deputy Leader of the Council are members of every Committee.
- 6.5 Chairpersons of all principal Committees shall be members of the Policy and Resources Committee.
- 6.6 The Chairperson and Vice-Chairperson of a Committee shall be members of every Sub-Committee appointed by it unless they signify that they do not wish to serve.
- 6.7 Membership of principal Committees is to be allocated so as to proportionally reflect the political composition of the council, including any independent members.
- 6.8 Where these Standing Orders refer to "the Council", this is to be interpreted as meaning the Council, its Committees or Sub-Committees unless otherwise stated.
- 6.9 Meetings of the Council's Committees and Sub-Committees have the full authority of the Council within their scheme of delegation, as set out in Standing Order 30.

7. Meetings

- 7.1 Meetings of the Council are meetings of the Full Council, its Committees or Sub Committees. The Full Council is a meeting of all members of the Council.
- 7.2
- (a) Meetings of the Council shall be held at the Town Hall, Market Place, Newbury at 7.30 p.m. unless otherwise decided at a previous meeting or by the Chairperson and stated in the summons.
 - (b) Smoking, including electronic cigarettes, is not permitted at any meeting of the Council or in any of its buildings or facilities.

- 7.3 In addition to the Annual Meeting, not less than three additional meetings of the Full Council shall be held each year on such days as the Council may determine.
- 7.4 The Chairperson of any Committee or the Town Mayor may summon an additional meeting of the Council/that Committee at any time. An additional meeting shall also be summoned on the requisition in writing of no less than 2 members of the Council or any Committee. The summons shall set out the business to be considered at the additional meeting and no other business shall be transacted at that meeting. In the event of the Chairperson not calling an extraordinary meeting within 7 days of receiving the request, the 2 members may call an extraordinary meeting.
- 7.5 The agenda of each meeting is issued by the proper officer to each participating Councillor, in consultation with the Chairperson, not less than 3 clear days before the date of the meeting.
- 7.6 A Councillor ceases to be a member of the Council if he/she fails throughout a period of six months to attend any meeting of the Council unless his/her absence was due to some reason approved by the Council. Such approval must be by resolution of the Council and before the expiry of the six month period.
- 7.7 Approval may be given by the Council to a prolonged absence, in advance (for example, maternity leave)
- 7.8 The responsibility for ensuring that a member of Council does not vacate his/her office through continuous failure to attend meetings rests entirely with that councillor and no-one else.
- 7.9 Non-attendance at Council meetings will be recorded either as an apology or as being absent.

8. Annual Meeting

- 8.1 In an election year Councillors shall execute Declarations of Acceptance of Office in each other's presence, or in the presence of the Chief Executive Officer, previously authorised by the Council to take such declaration, before the Annual Meeting commences.
- 8.2 The statutory Annual Meeting (a) in an Election year shall be held on the Sunday following the fourth day after the ordinary day of Elections to the Council and (b) in a year which is not an Election year shall be held on such a day in May as the Council may determine.
- 8.3
 - (a) Subject to (b) and (c) below the Town Mayor 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 even though he/she gave no original vote.
 - (b) 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, s/he may not give an original vote in an election for Town Mayor.
 - (c) The person presiding must give a casting vote whenever there is an equality of votes in an election for Town Mayor.

8.4 At each Annual Meeting the first business shall be:

- (a) To elect a Town Mayor;
- (b) To receive the Town Mayor's declaration of acceptance of office or, if not received, to decide when it shall be received;
- (c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations;
- (d) To elect a Deputy Town Mayor and receive his/her declaration of acceptance of office.
- (e) At any meeting where there is no chair or deputy chair present, the meeting may elect a member to preside at that meeting.

And shall thereafter follow the order set out in Standing Order 12.3.

9. Quorum

9.1 At meetings of the Full Council eight members shall constitute a quorum.

- (a) Except where ordered by the Council in the case of a Committee, or by the Council or the parent Committee in the case of a Sub Committee, the quorum of a Committee or Sub Committee shall be one-half of the permitted maximum number of its members.
- (b) The permitted composition of Committees and Sub-Committees is shown below:

	Members		Named Substitutes	
	Maximum	Minimum	Maximum	Minimum
Committee	12	8	6	4
Sub-Committee	6	4	4	2

9.2 If a quorum is not present when the Council meets or, if during a meeting the numbers of Councillors present and not debarred by reason of a declared interest falls below quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairperson may fix, subject to statutory notice provisions.

10. Named Substitutes

- 10.1 (a) All members of Committees and Sub-Committees may nominate another Councillor from the named substitute list to act as substitute for him/her. The substitute Member will have full rights to discuss the business put before the Committee or Sub-Committee and vote thereon.
- (b) Named substitutes who attend Committee meetings but have not been nominated as above will at the discretion of the Chairperson have full rights to discuss the business put before the Committee or Sub-Committee but will not be able to vote.
- (c) Members are to inform the Chief Executive Officer's Office of their intended absence and any substitute they wish to nominate before the commencement of the Committee or Sub-Committee meeting.

11. Presence of Non-Member of Committees at Committee Meetings

- 11.1 Any Council Member shall be entitled to be present at any meeting of any Committee or Sub Committee of which s/he is not a Member, except meetings of the Staff Sub Committee. Any Member so attending will at the discretion of the Chairperson have full rights to discuss the business put before the Committee or Sub-Committee but will not be able to vote. However, should the Committee or Sub-Committee resolve to exclude the press and the public, such members shall also be excluded, unless the Member's advice or assistance is needed, in which case they may be invited (by name) to remain after the exclusion resolution is passed.

12. Order of Business

- 12.1 (a) With the exception of the Policy & Resources Committee and the Staff Sub Committee, every Committee and Sub-Committee shall at its first meeting after the Annual Meeting, before proceeding to any other business, elect a Chairperson and Vice-Chairperson who shall hold office until the next Annual Meeting of the Council.
- (b) If at any Committee or Sub-Committee meeting neither the Chairperson nor the Vice-Chairperson can be present, the Committee should, as its first item of business, elect a Chairperson.
- (c) The Leader of the Council, or the Deputy Leader in their absence, shall preside over the meeting until a Chairperson is elected.
- 12.2 Every year, not later than the meeting at which the budget is set, the Council shall review the Pay and Conditions of Service of existing employees (see Standing Order 13).
- 12.3 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 for absence;
- (b) To receive any declarations of interest;
- (c) To note any relevant dispensations
- (d) To read and consider the minutes; provided a copy has been circulated to each Member no later than the day of issue of the summons to attend the meeting, the minutes may be taken as read;
- (e) After consideration, to approve the signing of the minutes as a correct record by the person presiding;
- (f) To answer questions and /or receive petitions from members of the public;
- (g) To answer questions and /or receive petitions from Members;
- (h) To deal with business expressly required by statute to be done;
- (i) To dispose of business, if any, remaining from the last meeting;
- (j) To receive such communications as the person presiding may wish to lay before the Council, e.g. a petition;

- (k) To receive and consider reports, and minutes of Committees;
- (l) To receive and consider reports from Officers of the Council;
- (m) Any other business specified in the summons (except as provided in Standing Order 17).

12.4 A motion to vary the order of business on the ground of urgency may be proposed by the Chairperson or by any Member and if seconded shall be put to the vote.

13. Admission of the Public and Press to meetings

13.1 The public and press shall be admitted to all meetings of the Council, which may, however, temporarily exclude the public and press by means of a resolution based on the following:

“That in view of the (special) (confidential) nature of the business about to be transacted, it is advisable in the public interest that the public and press be temporarily excluded and they are instructed to withdraw.”

(Note: The special reasons should be stated and recorded in the minutes. If a person’s advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed).

- 13.2 The Chief Executive Officer shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 13.3 If a member of the public interrupts the proceedings at any meeting, the Chairperson may, after warning, order that s/he be removed from the Council Chamber.
- 13.4 At the Chairperson’s discretion, members of the public shall be allowed to attend the meeting to (a) make representations, (b) answer questions or (c) give evidence relating to the business to be transacted.

14. Confidential Business

No member of the Council shall disclose to any person not a Member of the Council any business declared to be confidential by the Council. Any Member in breach of this Standing Order may be removed from any Committee or Sub-Committee of the Council by the Council. The Council may also refer the matter to the Council’s Monitoring Officer for consideration.

15. Discussions and Resolutions affecting employees of the Council

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 has decided whether or not the public shall be excluded (see Standing Order 13).

16. Questions

- 16.1 A Member may ask the Chairperson or the Chief Executive Officer 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 in accordance with the following provisions:
- (a) The time allotted for Members' questions shall not exceed 20 minutes;
 - (b) Questions not answered within that period will receive a written reply.
- 16.2 Members of the public shall have the right to ask questions on any matter concerning the business of the Council for 20 minutes of any meeting at the discretion of the Chairperson of that meeting. Questions not answered within that period will receive a written reply. In such cases, the Chairperson of the meeting will invite the member of the public to ask the question, as submitted.
- 16.3 Notification in writing, by post fax or electronic mail, of all questions must be received by the Chief Executive Officer three working hours before the start of the meeting at which the question is to be asked. In the case of meetings scheduled to start at 7.30 pm, notification must be received by 2.00 pm on the day of the meeting.
- 16.4 No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- 16.5
- (a) Every question shall be put and answered without discussion
 - (b) A person to whom a question has been put may decline to answer.
 - (c) One supplementary question may be put if it is relevant to the answer to the original question.
 - (d) A written reply will be given where a reply cannot conveniently be given orally.
- 16.6 If any person(s) submit(s) more than one question at any meeting it will be subject to the discretion of the Chairperson as to the order in which the questions are asked, so as to be fair to other questioners, given the time limits defined in 16.1 and 16.2
- 16.7 If a person who has submitted a question is not present when the question is called, the question will not be considered at the meeting, unless the Chairperson decides that the matter is urgent. The person who submitted the question will receive a written reply and the question and a copy of the answer will be circulated to all Councillors.

17. Rules of Debate

- 17.1 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 Chairperson.
- 17.2
- (a) A Member, when seconding a resolution or amendment may, if s/he then declares his/her intention to do so, reserve his/her speech until a later period of the debate.
 - (b) A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a question of order.

- (c) No speech by a mover of a resolution shall exceed five minutes, and no other speech shall exceed three minutes, except at the discretion of the Chairperson.
- (d) An amendment shall be to alter the wording only of the extant proposal.
- (e) An amendment shall not have the effect of negating the resolution before the Council.
- (f) 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.
- (g) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (h) The mover of a resolution or of an amendment shall have a right to reply not exceeding five minutes. The mover of a resolution shall have the right of reply immediately before the resolution is put to 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.
- (i) A Member may, with the consent of his/her seconder, move amendments to his/her own resolution.
- (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 a personal explanation, or to move a closure.
- (k) A Member may rise to make a point of order or a personal explanation. A Member rising for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him/her which may have been misunderstood.
- (l) A motion or amendment may be withdrawn by the proposer, which shall be signified without discussion, and no Member may speak upon it after permission has been asked for its withdrawal.
- (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 put now;
 - (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 and the press;
 - (ix) To adjourn the meeting.

- 17.3 At meetings of the Full Council only, Members shall stand when speaking unless permitted by the Town Mayor to sit on account of infirmity.
- 17.4 (a) The ruling of the Chairperson on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the Chairperson.
- (c) Whenever the Chairperson speaks during a debate all other members shall be seated and silent.
- (d) Members shall be addressed in a formal manner and officers by their job title.
- 17.5 Where an interest has been declared by a Member which excludes them from debate and vote, or a member of the public makes representations, answers questions or gives evidence relating to the business to be transacted, the chairperson will ensure that the information gathering process concludes before debate commences.

18. Resolution moved on notice

- 18.1 Except as provided by these Standing Orders, no resolution may be moved unless the Chief Executive Officer has put the business to which it relates on the agenda.
- 18.2 The Chief Executive Officer shall insert in the summons for every meeting those motions or recommendations properly given by Members, following the approval of the Chairperson to add those motions or recommendations to the agenda or summons
- 18.3 If the 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.
- 18.4 Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

19. Resolutions moved without notice

- 19.1 Resolutions dealing with the following matters may be moved without notice:
- (a) To appoint a Chairperson 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 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 resolution or an amendment;

- (m) To extend the time limit for speeches;
- (n) To exclude the public and press (see Standing Order 13);
- (o) To silence or eject from the meeting a Member named for misconduct (see Standing Order 23);
- (p) To give the consent of the Council where such consent is required by these Standing Orders;
- (q) To suspend any Standing Order (see Standing Order 34);
- (r) To adjourn the meeting.

20. Voting

- 20.1 Members shall vote by show of hands. The names of Members that propose and second motions are to be formally recorded in the minutes of Council meetings, with the exception of scheduled planning items.
- 20.2 If one Member so requires, the senior officer present shall record the names of the Members who voted on any question so as to show whether they voted for or against it. Any individual Member can ask for how they have voted to be recorded.
- 20.3 Chairpersons shall in the case of an equality of votes have a second or casting vote which must be recorded in the Minutes of the meeting.
- 20.4 Where one or more persons have been nominated for any position to be filled by the Council, the Proposer and Seconder of each candidate shall be recorded in the minutes of the meeting. The Chairperson will ensure that there is an opportunity for all candidates to be nominated before any vote is taken.
 - (a) Where only one person has been nominated for any position to be filled by the Council a normal resolution, with votes for and against will be made.
 - (b) Where two people have been nominated for any position to be filled by the Council, Councillors present will be invited to publicly vote for their preferred candidate from those put forward (in alphabetical order of surname). The candidate who receives an absolute majority vote of those present and voting (if necessary on the casting vote of the Chairperson) will be selected.
 - (c) Where more than two people have been nominated for any position to be filled by the Council, Councillors present will be invited to publicly vote for their preferred candidate from all those put forward (in alphabetical order of surname). The candidate who ultimately receives an absolute majority vote of those present and voting (if necessary on the casting vote of the Chairperson when just two candidates remain) will be selected. If no absolute majority is achieved a process of striking off the individual with least votes will be executed and a fresh vote taken, until there is an absolute majority. Where there is an equality of least number of votes, (e.g. 10/5/5 split) a separate vote will be taken on which of those with least votes to strike off, again with Chairperson's casting vote if necessary.

21. Rescission of previous resolution

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 eight members of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee;
- (b) When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

22. Adjournment

- 22.1 Any meeting may be adjourned immediately by the Chairperson of that meeting, for any reasonable length of time, for example to allow councillors to discuss problematic issues in private or because the length of the meeting has become such that effective discussion is limited.
- 22.2 Meetings should not normally continue past 10.00 pm. If however the Chairman believes that business could be concluded by 10.30 pm, a Motion under Standing Order 19.1 (s) (Motions which may be Moved without Notice) must be moved and supported by a majority of those Members present. All meetings will conclude by 10.30 pm at the latest.
- 22.3 Where a meeting is adjourned, the subsequent proceedings on resumption are a part of the original meeting and the meeting can only consider the remainder of the agenda being considered before the adjournment. No new notices or agendas can be issued except in the event of proceedings being held over to another day when all Members must be notified of the date and time for resumption.

23. Disorderly conduct

- 23.1 No Member shall at a meeting behave in such a manner that is contrary to the Council's Code of Conduct or the Council's Standing Orders.
- 23.2 If, in the opinion of the Chairperson, a Member has contravened the Council's Code of Conduct or the Council's Standing Orders, the Chairperson shall express the opinion to the Council and thereafter any Member may move that the Member named be no longer heard or that the Member named should leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- 23.3 The Chairperson may suspend the meeting to take such steps as may be reasonably necessary to bring order to the meeting.

24. Sealing of Documents

- 24.1 A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution of the Council or the appropriate Committee.
- 24.2 The Council's Common Seal shall alone be used for sealing documents. It shall be applied by the Proper Officer in the presence of two Members who shall sign the document as witnesses.

25. Interests

- 25.1 If any Member has an interest in any matter for debate, s/he shall, while it is under consideration by the Council, act in accordance with the Code of Conduct adopted by the Council.

For interests under Appendix A of the Code of Conduct (Disclosable Pecuniary Interests), the Member must leave the room for the entire discussion, unless a dispensation has been granted under the Council's dispensation process.

For interests under Appendix B of the Code of Conduct or Financial Interests, or any other interests that the Member considers "prejudicial", the Member can remain for the information gathering section of the discussion, but must then physically move to the public gallery for the debate and vote – taking no part in that part of the discussion, unless a dispensation has been granted under the Council's dispensation process.

- 25.2 The senior officer present shall record in the minutes, particulars of any notice given by a Member or any Officer of the Council of an interest in a contract, and these shall be available during reasonable hours of the day for the inspection by any Member or any member of the public.

- 25.3 If a candidate for any appointment under the Council is to his/her knowledge related to any Member or the holder of any office under the Council, s/he and the person to whom s/he is related shall disclose the relationship in writing to the Chief Executive Officer. A candidate who fails so to do shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Chief Executive Officer shall report to the Council or to the appropriate Committee any such disclosure.

The Chief Executive Officer shall make known the purport of this Standing Order to every candidate.

26. Canvassing of and recommendations by members

- 26.1 (a) Canvassing of Members of the Council, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Chief Executive Officer shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- (b) A Member of the Council or of any Committee shall not solicit for any person appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such Member may give written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 26.2 Standing Orders 25.3 and 26.1 shall apply to tenders as if the person making the tender were a candidate for an appointment.

27. Inspection of Documents

- 27.1 A Member may, for the purpose of his/her duty as such (but not otherwise), inspect any document in possession of the Council, and if copies are available shall, on request, be supplied for the like purpose with a copy.

- 27.2 All minutes kept by the Council shall be open for the inspection of any Member of the Council.
- 27.3 No Member of the Council 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.

28. Functions reserved to Full Council

The Full Council reserves to itself the following functions:

- (a) It sets the precept.
- (b) It approves the borrowing of monies.
- (c) It delegates powers to Committees to carry out certain functions on behalf of the Full Council and sets and amends the Terms of References for those Committees, including the number of members and the appointment of Members to each committee as well as the quorum required for each committee meeting.
- (d) It approves the timetable of meetings for Committees and the Council.
- (e) It deals with all matters relating to elections.
- (f) It adopts and where required, approves any amendments to the Council's Standing Orders, except the Council's Financial Regulations, which are delegated to the Policy and Resources Committee.
- (g) It reviews and adopts the Council's Strategy.
- (h) It approves the end of year Accounts and Annual Return.
- (i) It elects the Leader of the Council and the Deputy Leader.
- (j) It fills Member vacancies occurring on any Committee or Council, where required.
- (k) It appoints or nominates persons to outside bodies.
- (l) At the Annual Meeting of the Council:
 - It elects the Town Mayor and the Deputy Mayor.
 - It sets the delegated powers of its Committees and appoints the Members to each Committee, in accordance with Standing Orders 29 and 30.

29. Appointments to Committees

The Full Council may, at its annual meeting, appoint standing Committees and may at any other time appoint such other Committees as may be necessary, and:

- 29.1. shall determine their terms of reference;
- 29.2. may permit Committees to determine the dates of their meetings;

- 29.3 shall appoint and determine the term of office of councillor or non-councillor members of such a Committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
- 29.4 may appoint substitute councillors to a Committee whose role is to replace ordinary councillors at a meeting of a Committee if ordinary councillors of the committee have confirmed at least a day before the meeting that they are unable to attend;
- 29.5 may in accordance with standing orders, dissolve a committee at any time.

At meetings of Committees:

- 29.6 An ordinary member of a Committee who has been replaced at a meeting by a substitute member (in accordance with standing order 29.4 above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
- 29.7 Unless there is a Full Council resolution to the contrary, a Committee may appoint a Sub-Committee whose terms of reference and members shall be determined by resolution of the Committee.
- 29.8 Details of quorums are determined under Standing Order No. 9 and named substitutes under Standing Order No. 10.

30. Delegations to Standing Committees and Sub-Committees of the Council

The following are the Delegations and Terms of Reference of the Council's standing Committees and Sub-Committees:

30.1 Policy and Resources

Membership: 12 Councillors

Quorum: 6 Councillors

Six named substitutes

The Leader of the Council is also the Chairperson of the Policy and Resources Committee.

The Deputy Leader of the Council is also the Vice Chairperson of the Policy and Resources Committee

Members of the Committee are appointed at the Annual Meeting of the Council.

Committee vacancies occurring during the year may be filled by appointment by the Council

- (a) It is responsible for the financial, human and property resources of the Council.
- (b) It takes action on behalf of the Council on any matter not delegated to another Committee.
- (c) It determines the policies to implement the Council's strategy.
- (d) It administers any allocated budget.
- (e) It sets the membership and delegated powers of its Sub-Committees and the terms of reference of its working groups.
- (f) It approves and amends where appropriate, the Council's Financial Regulations, having first consulted the Audit Working Group.

30.2 Planning and Highways

Membership: 12 Councillors

Quorum: 6 Councillors

Six named substitutes

- (a) It carries out all of the Council's functions as a statutory consultee under The Local Government Planning Acts
- (b) It formulates the Council's land use planning policy.
- (c) It comments on highway issues that affect access to the Newbury town area.
- (d) It comments on licensing issues that affect Newbury town.
- (e) It administers any allocated budget.
- (f) It sets the membership and delegated powers of its Sub-Committees and the terms of reference of its working groups.

30.3 Community Services

Membership: 12 Councillors

Quorum: 6 Councillors

Six named substitutes

- (a) It is responsible for the maintenance of property assets and the provision of direct services to the public and for all related policy and fiscal matters.
- (b) It administers any allocated budget.
- (c) It sets the membership and delegated powers of its Sub-Committees and the terms of reference of its working groups.

30.4 Civic Pride, Arts and Leisure

Membership: 12 Councillors

Quorum: 6 Councillors

Six named substitutes

- (a) It exists to help promote and co-ordinate civic pride, arts & leisure facilities and activities for the community, which will also attract visitors to the town.
- (b) Promotes, supports and celebrates that civic function of the Mayor as well as other activities and functions relating to the heritage and traditions of the town.
- (c) Works with the Community Services Team in the use and promotion of the Town Hall as a major civic asset
- (d) It administers any allocated budget.
- (e) It sets the membership and delegated powers of its Sub-Committees and the terms of reference of its working groups.

30.5 Grants Sub-Committee

Membership: 6 Councillors

Quorum: 3 Councillors

Four named substitutes

A Sub-Committee of the Policy and Resources Committee, the Grants Sub-Committee is responsible for the award of financial support to organisations subject to legislation, such as Sections 133, 137 and 145 of the Local Government Act 1972 or Section 19 of the Local Government (Miscellaneous Provisions) Act 1976.

This is referred to hereafter as '**grant aid**' and is to be awarded in accordance with the criteria approved by the Council.

The Council is also a funding body on the Find me A Grant Scheme run by Greenham Common Trust and administers its Grants Scheme via the "findmeagrnt" web portal.

Applications may be made at any time but will next be considered at a time publicised by the Town Council. The Committee will consider all valid applications created on the "findmeagrnt" web portal between the last closing date for applications and the new closing date. The dates will appear on the FMAG web portal. No application will be considered twice. Applications must meet the Newbury Town Council Grant Aid Criteria published on "findmeagrnt" web portal.

- (a) The Sub-Committee normally meets twice a year, in summer and winter each year. After grants have been awarded a press release will be issued and letters sent to successful applicants. The summer meeting will have the full grant aid budget available and thus the scheduled winter meeting will only take place if the complete budget is not allocated.
- (b) Grant Aid is to be allocated on merit regardless of whether it is for a capital project or not. The allocated money is not to be split between capital and small grants.
- (c) Grant aid will be advertised in the local press and to arts and leisure organisations via the Council's web site www.newbury.gov.uk and on www.findmeagrnt.org
- (d) In all cases the selection process will be based on a two part approach, i.e. the first part will convene in public and receive presentations if required from qualified applicants to support their applications. The purpose of this is to 'receive and consider' applications which meet the Council's criteria.
- (e) Where necessary, the Committee may resolve to convene in 'Part 2 / confidential mode' (See Standing Order 13) in order to consider confidential information relating to the applicants. Sub-Committee members will have the option of studying applications and supporting material, such as accounts and other financial information, between the first and second parts. If agreed, the two parts can be combined into one meeting, or treated as two separate meetings

30.6 Donations, Grants and Contributions to Third parties and Outside Bodies

- 30.6.1 Any proposal to donate to a third-party organisation, for each of one or several years, shall require a written presentation to the Council by that organisation followed by a resolution by the Council. The resolution shall specify the sum to be donated and its purpose, and shall apply for only one year unless otherwise stated. The Council may request further information and may direct that the presentation is heard by a particular Committee or Sub-Committee. Alternatively, the Council shall be at liberty to refuse to receive such a presentation.
- 30.6.2 In the case that the Council has approved a donation to a third-party organisation for more than one year, that organisation shall be invited to make a presentation to the Council towards the end of each year, which shall be subject to a resolution of approval by the Council. Should that invitation not be accepted, or the presentation not be approved, no further donation shall be made to that organisation without a further resolution by the Council under Standing Order 30.6.1.

30.7 Staff Sub-Committee

Membership: 6 Councillors

Quorum: 3 Councillors

Four named substitutes

The Leader of the Council chairs the Staff Sub-Committee.

A Sub-Committee of the Policy and Resources Committee, the Staff Sub-Committee has authority to approve appointment, recruitment and terms and conditions for all employees for the Council.

- (a) The Staff Sub-Committee reviews all employment policies for Council Staff and makes appropriate recommendations to the Policy and Resources Committee
- (b) In respect of the Chief Executive Officer & Responsible Finance Officer, to:
 - i. recommend to the Policy and Resources Committee appropriate staffing arrangements for these posts and relevant salary scales and conditions;
 - ii. provide the Town Council with related Job Description and Person Specification; and
 - iii. propose to the Town Council such recruitment and selection processes as are required for appointment to these posts
- (c) In respect of all other staff, to:
 - i. determine terms and conditions for posts established by the Town Council;
 - ii. agree and implement appropriate recruitment and selections processes for each post; and
 - iii. formally confirm appointments
- (d) The Chief Executive Officer may consult with the Sub-Committee in connection with any staffing related matter.
- (e) To oversee the Council's appraisal process

- (f) To review salary scales, terms and conditions and to make recommendations to the Policy and Resources Committee on salary scale reviews.
- (g) To review and address staff training and development needs
- (h) Termination of employment of staff and in the case of the Chief Executive officer and the Responsible Financial Officer to make recommendations to the Policy and Resources Committee
- (i) To review and make recommendations to the Policy and Resources Committee with regard to the appointed Legal / Personnel consultancy service
- (j) To review the Council's staffing budget each year, prior to the annual budget-setting process
- (k) To establish Sub-Committees and working groups, and to appoint advisers as and when necessary to assist in its work.
- (l) To act as the Council's **Grievance and Disciplinary Panel** with the necessary delegated decision making powers in relation to grievance and disciplinary issues for members of the Council's Management Team.

Meetings will be called on an ad hoc basis as required, called by the Chief Executive Officer and with notice given to the relevant employee. A minute taker will be present throughout the proceedings.

When carrying out this role the Sub-Committee will follow the procedure set out in the Town Council's Grievance and Disciplinary Procedures.

- (m) To act as the **Appeals Panel** in relation to any appeal against the decision of the Disciplinary Panel or the outcome of a Grievance.

Any Member who has been involved in the original Grievance or Disciplinary Panel shall not form part of the Appeals Panel. Additional Members may be appointed to the Appeals Panel by the Sub-Committee, in the event of a conflict of interests.

The Appeals Panel will consider any appeals against dismissal, grading, disciplinary proceedings and grievances by employees of the Council.

The Chief Executive Officer will call the meeting and notice will be given to the employee.

A minute taker will be present throughout the proceedings.

The Panel will follow the procedure set out in the Town Council's Disciplinary Procedure.

- 30.8 Each of the above standing committees and Sub-Committees may draft their own policies and procedures to enable it to effectively and efficiently carry out its delegated functions, provided they comply with the relevant provisions in these Standing Orders and do not exceed the limit of the authority delegated to them.

31. Delegations to the Council's Proper Officer

- 31.1 The Chief Executive Officer has delegated authority to properly carry out such tasks as are necessary to ensure the efficient day to day management of the Council's affairs, including staff matters not covered by the Staff Sub-Committee, so far as is consistent with the requirements of any job description, instruction of the Council or its Committees.

- 31.2 The limits of expenditure under this Standing Order shall be determined by the Council's Financial Regulations.

32. Code of conduct on complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any Officer or Member in the manner recommended in Legal Topic Note 9 - Code of Practice for Local Councils in Handling Complaints; published by the National Association of Local Councils. (See appendix 1)

33. Use of IT Equipment, including smart phones, in Council Meetings

- 33.1 IT equipment, including smart phones, should be regarded as an automation and extension of the traditional pen-and-paper methods which Councillors have always employed. Therefore, there should be no problem in its use to support the proceedings of Council meetings, for example to collect relevant information or take notes.
- 33.2 The use of IT equipment for other purposes, for example to send or receive unrelated messages, would be a distraction from the attention which Councillors should give to the proceedings of the meeting and should not take place. The enforcement of this principle, if necessary, is at the discretion of the Chairman at the time.
- 33.3 IT equipment should not be permitted to give out any form of electronic noise, such as rings, buzzes, or clicks, which would again distract proceedings.

34. Variation, revocation and suspense of Standing Orders

- 34.1 Any or every part of these Standing Orders **except** those which reflect mandatory statutory requirements may be suspended by resolution in relation to any specific item of business.
- 34.2 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 Full Council.

35. Standing Orders to be given to Members

A copy of these Standing Orders shall be made available to each Member by the Chief Executive Officer upon declaration of the Member's acceptance of office, by sending it by email or in printed format if requested.