

## STANDING ORDERS OF THE TOWN COUNCIL

### 1. Introduction

- i) These Standing Orders outline the manner in which Darley Dale Town Council conducts its business as a group of elected representatives and staff working for the benefit of the community. All Councillors and employees agree to act according to these rules and procedures.

### 2. Categories of meetings

- i) Council meetings and committee meetings are formal events, not social occasions. They have a clear purpose – to make decisions – and are not just talking shops. They are also public events. The meetings must be advertised and the press and public have a right to observe, record and report on how the council operates. The only exceptions to this are when sensitive issues such as legal, contractual or staffing matters are discussed when the council can agree to exclude the press and public for just that item of business.
- ii) **Full Council Meetings** are the most important as they drive decision making throughout the year as issues arise and priorities change. All councillors are expected to attend. They take place in accordance with the programme of meetings decided at the Annual Meeting of Council (see below) and for Darley Dale that means the third Wednesday of each month. Meetings are held at the Whitworth, Darley Dale commencing at 7pm though Council may change the start time and location of the following month's meeting by resolution.
- iii) **Committee meetings** bring together a smaller number of councillors to concentrate on a specific function of the council (for example considering planning applications) and the same approach should be adopted. Committees can have delegated powers to make decision on behalf of the full Council or may be solely advisory, making recommendations which the full council must consider.
- iv) Darley Dale Town Council can establish **working groups** to explore particular topics, oversee short-term projects or manage specific areas such as staffing, marketing or events. They are not subject to the strict rules that apply to formal council meetings and do not need to be held in public. A working party cannot make decisions on behalf of the council, but they can explore options and present these to the council for a decision. Working Groups have the distinct advantage of being open to non-councillors. This makes them an excellent means of involving others, particularly young people, in council work.
- v) In addition to regular council and committee meetings throughout the year, there are two important **Annual meetings** which usually take place in May each year.

### 3. The Annual Town Meeting

- i) The Annual Parish or Town Meeting is not a council meeting as such. It is a meeting of the parish or town electors taking place between 1 March and 1 June. Electors can contribute to the agenda and in practice these meetings often celebrate local activities and debate current issues in the community. The Chair of the council will chair the meeting.
- ii) This is an excellent opportunity for Councillors to listen to residents' issues, concerns and suggestions first hand in a relatively informal setting. It is held after 6.00 pm in the third week of May each year on a day agreed by the Council at least one month in advance and all residents are welcome. The meeting will be publicised in advance through posters, the Council website and social media to encourage as many residents as possible to attend. Residents who cannot attend will be invited to submit written questions.

#### **4. Annual Meeting**

- i) The Annual Meeting of Council will be held at 7.00 pm either immediately after the Annual Town Meeting in May each year or in the following week. It is where the Council “resets” with everyone standing down from any roles or memberships they hold with new appointments being determined for the year ahead.
- ii) The election of the Chair of the Council is always the first item of business at the Annual Meeting of Council. The election of a Vice-Chair is the second. It’s the meeting where Councillors decide which Committees and Working Groups will be convened and who will be on them. Lead Councillors are appointed to key posts including liaison with local community groups and businesses along with lead councillors for allotments and youth provision. The Annual Meeting is also where most of the Council’s key policies and procedures are reviewed and approved for the year ahead.
- iii) If the Chair resigns or otherwise ceases to be a Town Councillor, full authority will immediately pass to the Vice-Chair who will become “Acting Chair” until the next Annual Meeting.
- iv) If the Vice-Chair is promoted to Acting Chair or resigns in his or her own right, then nominations for the Acting Vice-Chair will be invited and voted on at full Council.

#### **5. Extraordinary meetings**

- i) An extraordinary Council Meeting is less common and would usually be convened to deal with a particularly pressing issue or decision. They can be called by:
  - a. the Council by resolution.
  - b. the Chairman at any time.
  - c. any four members of council if they have signed a requisition presented to the Chair and the Chair has refused to call a meeting within seven days.
- ii) The agenda for an extraordinary meeting will set out clearly the matters that the meeting has been called to deal with. Items on the agenda should only relate to the business for which the extraordinary meeting has been arranged.

#### **6. Committees**

- i) Committees will be established and the membership agreed in May each year. When appointing a committee, the default is for the Chair of that Committee to be appointed at the first meeting of that committee, though exceptionally the Council may choose to appoint the committee or working group Chair and/or Vice-Chair themselves.
- ii) A substitute may take the place of a member who is unable to attend a meeting of one of the Committees or working groups and will have the same powers to speak and vote.
- iii) The quorum of a committee is one third of the whole number of members or three, whichever is the greater number. If a committee or Sub-Committee is not quorate, the Chairman will adjourn the meeting to a specified time and date. Where the Committee or Sub-Committee is not quorate at the start time for the meeting specified in the Summons, the Chairman will allow a reasonable period to elapse to enable other members of the committee to attend before adjourning the meeting.
- iv) The Chairman of a Committee may call a special meeting at any time.

## **7. Rules on Meetings**

- i) Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.
- ii) The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- iii) Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- iv) A person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- v) A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place.
- vi) The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- vii) The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council shall preside and assume all authorities and powers of the Chair for the duration of the meeting. If both the Chair and the Vice-Chair are absent from a meeting, a Chair should be chosen from those councillors present at the meeting through a simple nomination and vote.
- viii) Where a vote is tied, the Chair may exercise a casting vote.
- ix) The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council. Non-Councillor Committee members may take part in debates but are not permitted to vote on any decision or resolution of that Committee.
- x) There are no specific requirements for sub-committee or working group meetings.

## **8. Agendas**

- i) Setting the agenda for a Council meeting is the responsibility of the Chair and the Clerk. Each Councillor or Committee member can submit agenda items for consideration.
- ii) Agendas must be published at least three clear working days before each meeting. The Clerk will sign the agenda and send out the summons and agenda and arrange for it to be published on-line and in the main Council noticeboard.
- iii) All Councillors have a duty to attend all full Council or Committees that they are members of. If you cannot attend a meeting, you must contact the Clerk with an apology and explanation. If you fail to attend any meetings for six months you will automatically cease to be a councillor unless the council approve your reason for absence before the end of the six-month period.
- iv) It's important too that you warn the Clerk beforehand if you expect to be late or need to leave early. This is because meetings must remain quorate throughout and not just at the start. 3.2 Specific requirements for meetings of Full Council

## **9. Order of business at ordinary meetings – Standing items**

- i) If necessary, the appointment of a chair for the meeting in the absence of the Chair and Vice-Chair of the Council
- ii) Apologies for absence
- iii) Variations to the order of business
- iv) Declarations of interests not listed in advance.
- v) To consider excluding the press or public for any items.
- vi) Prior MOTION to approve the minutes of the previous meeting.
- vii) Update from District Councillors, County Councillor and Police.
- viii) Public Participation – a chance to listen to and discuss any submissions from members of the public present or sent in advance.
- ix) Finance.
  - Prior MOTION to accept the bank reconciliation for May.
  - Prior MOTION to approve payments made under delegated powers.
  - Prior MOTION to approve proposed payments.
  - To consider any S137 grant requests (if any).
- x) Planning.
  - Brief run through of Planning Committee decisions for the month.
  - Consultations requiring full council consideration (if any).
- xi) Update from the Chair of the Whitworth Trust
- xii) General updates/Correspondence Received
- xiii) Date of the next meeting

## **10. Periodical agenda items**

- i) Items relating to the setting or resetting of the Council budget and precept.
- ii) Items relating to membership of Committees and Working Groups.
- iii) Annual Governance and Accounting Return – Annually in May or June.
- iv) Acceptance of key policies and procedures.

## **6. Ad-hoc agenda items**

- i) May be added by the Chair.
- ii) May be added by Chairs of Working Groups and Committees if they relate to that group's role.
- iii) May be suggested by Councillors at least one week before the meeting and added with the agreement of the Chair.
- iv) May be added by the Clerk in agreement with the Chair where a specific decision is needed.

## **7. Quorum and Record of Attendances**

- i) If there are fewer than one third of all serving Councillors present at the appointed time, the Chair will allow a reasonable time to elapse to enable other Councillors to attend before adjourning the meeting to a specified time and date.
- ii) The names of all those attending the meeting will be recorded, except where they are attending as members of the public.

- iii) Absences will also be recorded and it should be clear from the minutes whether apologies were received in advance.

## **8. Duration of Meeting**

- i) Meetings should be scheduled for and last no more than two hours. In exceptional circumstances, the Chair can propose a motion to extend the meeting by a fixed period of no more than 30 minutes. If a majority of those present vote for the extension the meeting can continue.
- ii) Any meeting that has lasted for two and a half hours will adjourn without delay. Any remaining business will be considered at the next ordinary Council Meeting or an alternative date and time for a meeting will be arranged.

## **9. Minutes**

- i) Minutes are a record of the topics covered and resolutions agreed. They should record just enough information for anyone who was not at the meeting to understand the context of any decisions. They are not a record of who said what.
- ii) No discussion will take place on the minutes except upon their accuracy. Once approved by motion they cannot be altered. The Chair will sign the minutes of the proceedings at the next opportunity.
- iii) Draft minutes of meetings will be published within 10 days of the meeting. Approved minutes will be available within 48 hours of being approved.

## **10. Public Participation**

- i) Members of the public who live, work or have a direct interest in a matter relating to the Parish may present information and ask questions at ordinary Council Meetings either in person or by correspondence.
- ii) Questions or topics for discussion must be submitted before noon on the day of the meeting. The Clerk 's decision on whether the matter should be presented for full Council attention or is better dealt with by a Committee, Working Group or individual Councillor.
- iii) The Chair should aim to complete public participation in under 10 minutes but does have discretion to extend that period to up to 20 minutes.
- iv) After 20 minutes any outstanding issues MUST be deferred.

## **11. Meeting Papers**

- i) It is advised that, as far as is practical, agenda items are supported by some form of written submission.
- ii) The Clerk will arrange for supporting papers to be issued as soon as possible before the meeting. These will include:
  - a. A copy of the agenda.
  - b. The previous month's minutes.
  - c. A summary of the current banking reconciliation.
  - d. A list of payments including both those already made using delegated authority and those requiring prior Council approval.
  - e. A summary of the decisions from the Planning Committee (held two days before the full Council meeting).
  - f. Any correspondence to be discussed.
  - g. Any other relevant updates or briefs which can be included.

- iii) Larger or late files may be issued separately by either the Clerk or directly by the agenda item owner.
- iv) In exceptional circumstances papers may be handed out at the meeting if agreed by The Chair.
- v) The Chair may defer an item if papers are not issued or are received too late to be considered.
- vi) *Councillors are encouraged to avoid printing papers and where possible should use laptops or other devices to view them.***

## **12. Meeting protocol**

- i) The Chair will open the meeting at the appointed time using the “gavel and strike”.
- ii) Where the Chair is not present the meeting will be presided over by the Vice-Chair.
- iii) Where neither the Chair or Vice-Chair is present, the meeting will elect a Chair by way of a motion, seconded and approved.
- iv) The Chair will then work through the agenda in the order presented, introducing each agenda item and either open the discussion personally or invite one of those present to do so.
- v) Introductions and summaries should be as brief as possible and you should assume that those present have read any material sent out before the meeting.
- vi) Be as clear as possible in advance or during your summary whether the item is for information only or whether there is a clear decision and motion required at the meeting.
- vii) Do not interrupt anyone presenting an agenda item. Listen and wait until the verbal summary is complete and the Chair throws the topic open for discussion.
- viii) Anyone wishing to speak should raise their hand and wait until they are invited to speak by the Chair. If more than one attendee wishes to speak the Chairman will invite them to speak one by one, making the order fair and clear.
- ix) The Chair will ensure that everyone who wishes to speak is given time to do so though they may limit any contributions which are too long, repeating points already made or risk taking the discussion off topic.
- x) You should allow anyone speaking to do so without interruption and in return you are entitled to expect the same courtesy.
- xi) The Chair may end any discussion when:
  - a. No-one wishes to speak further.
  - b. They judge that sufficient time has been allocated and the meeting should move on OR
  - c. There is a clear consensus for a decision.
- xii) At this point the Chair may decide to:
  - a. Note the discussion and move on.
  - b. Defer the item until the next meeting.
  - c. Defer the item with a request for more information.
  - d. Propose a motion to make a decision.
  - e. Propose a motion for the Clerk, an individual Councillor, Committee or Working Group to take the matter forward.
- xiii) The Chair’s decision is final.

### 13. Motions and resolutions

- i) All decisions of the Council take the form of a proposed motion which is seconded and then voted on. The only exceptions are those which are delegated to the Chair and Clerk, a Committee, Working Group or nominated lead Councillor.
- ii) Motions can be proposed before the meeting by anyone attending for consideration by the Chair. If approved they will be included in the agenda or supporting papers where possible and need to be seconded at the meeting itself.
- iii) A motion can also be proposed at any stage of the meeting by anyone in attendance and can only proceed if seconded.
- iv) Once it has been proposed and seconded, either:
  - a. a vote must take place on the original motion.
  - b. It is withdrawn by the proposer OR
- v) An amendment is proposed and accepted by the original proposer and seconder.
- vi) An amendment must be relevant to the motion and can either be to:
  - a. Refer a matter to a Committee, Working Group, individual Councillor or the Clerk.
  - b. Insert, add, alter or leave out words.
- vii) An amendment must not:
  - a. negate or be negative to the motion.
  - b. seek to introduce into the motion a new issue.
- viii) If an amendment is not carried, other amendments to the original motion may be moved.
- ix) If an amendment is carried, the motion as amended becomes the substantive motion to which any further amendments may be moved.
- x) For more complicated or long-worded motions the Clerk will write the wording down and read it back before the vote is called.
- xi) The ruling of the Chairman on motions and amendments is final.

### 14. Voting

- i) When a vote is to be taken the Chair will call for a show of hands from “all those in favour” followed by a show of hands from “all those against”. Anyone not raising a hand at either point will be treated as abstaining.
- ii) ***It is important that when voting on a motion Councillors raise their hand clearly and visibly so that the Clerk can count votes for and against. Councillors should keep their hand raised until the count is completed.***
- iii) Details of Councillor voting decisions are not recorded by default though anyone in attendance can at any time ask for “recorded vote”.
- iv) In the case of resolutions relating to budget setting or precept setting, the number of votes for and against will be recorded.
- v) If there are equal numbers of votes for and against a motion, the Chair will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote.

### 15. Voting on appointments

- i) Where a vote is for the appointment of a Chair, Vice-Chair, Committee members or subject leads, there must be a majority in favour of the appointment excluding abstentions.

- ii) Councillors can self-nominate for a particular post either before the meeting or at the meeting itself. If the number of candidates matches or is below the number of vacancies, the Chair will propose a motion to appoint which, subject to it being seconded can be voted on in the usual manner.
- iii) Where there are more nominees than vacancies, the Chair will read out each candidates name in alphabetical surname order and ask for a show of hands from those who support the candidate. Candidates can vote for themselves or another candidate and all Councillors can vote only once. Anyone achieving over half of the votes from those present in round one will automatically be appointed.
- iv) If after the first round of votes there are still more candidates than available posts, the Chair will repeat the process at 15 iii excluding any candidate who has already been approved by a vote of more than half of those present. This is a new round of voting and Councillors can once again vote for themselves or another candidate and vote only once. The candidate with least votes will again be eliminated and the process will be repeated until all posts are filled.
- v) If the Chair feels it is necessary for personal or other reasons to hold the vote as a paper ballot, he should propose this as a motion and only implement it if it is seconded and supported by a majority.

## 16. Councillor Interests

- i) Every Councillor has a personal legal obligation to complete and maintain the Register of Disclosable Interests held by the Monitoring officer, Derbyshire Dales District Council. ***It is not the Clerk's or Chair's responsibility to ensure that this is done.***
- ii) Any membership or other interest that is directly relevant to the ongoing business of the Council must be reported to the Clerk and will be listed in Council and Committee agendas. Examples include an appointment as a Whitworth Trustee or membership of local Community Groups.
- iii) Where an interest is not generally relevant but becomes so in the context of a particular meeting (for example – where a planning application or financial payment is linked to a close friend or family member) then it must be declared at the start of the meeting and recorded.
- iv) The Chair will usually ask the Councillor in question to leave the room for the item concerned but may allow them to stay but not take part in the discussion or vote. The Chair's decision is final.

## 17. Whitworth Trustees

- i) A particular potential clash of interests for Darley Dale Town Council is in the appointment of up to 7 Councillors to the Whitworth Trust Board. Being a trustee is a declarable interest but is not a bar to discussing or voting on Trust issues.
- ii) As a rule, Trustee/Councillors have the same rights as other Councillors when discussing Trust issues. The one exception is where a lease, contract or other paid service is being entered into between both parties. In this case, non-Trustee Councillors only are allowed to vote.
- iii) Where an individual councillor has been barred from discussing or voting on a particular issue because of a declared interest, they may request a dispensation from the Clerk (for local issues) or from the Monitoring Officer (for wider issues).
- iv) When considering a request for dispensation, the determining officer should consider whether the requesting Councillor can be (and can be seen to be) objective. They should also consider whether

allowing the dispensation supports or hinders the wider interests of residents and business. The Clerk's and/or Monitoring Officer's decisions are final.

### **18. Points of Order**

- i) Any attendee may raise a point of order at any time and must be heard. A point of order can only relate to an alleged breach of these Standing Orders and the Councillor must specify clearly what breach is alleged. The Chair will determine whether the point has merit, usually with advice from the Clerk.

### **19. Disorderly Conduct**

- i) Disorderly conduct can be a disregard for the meeting rules, disrespect of the Chair's authority, behaving improperly or offensively or wilfully obstructing the business of the Council. The Chair or any other attendee can propose "that the Member named shall not be heard further" and the motion, if seconded, will be voted on without discussion.
- ii) If misconduct by the individual continues the Chair shall move that they are excluded from the meeting and the motion, if seconded, will be voted on without discussion.
- iii) If a member of the public interrupts the proceedings at any meeting the Chair will first issue a warning about the unacceptable behaviour. If it continues the Chair will order the person's removal from the meeting. In the case of a general disturbance in any part of a meeting open to the public, the Chair can order that all public attendees are removed and the meeting shall continue in private.
- iv) The Chair may, in the event of a disturbance interfering with the orderly dispatch of business, adjourn or suspend a meeting for as long as the Chairman considers appropriate. In extreme cases the Chair can elect to close the meeting altogether.

### **20. Recording and reporting on meetings**

- i) Members of the public may record and report on meetings when their attendance is allowed. Audio/video recording must be declared beforehand so that members of the council and public are aware. However, oral reporting or oral commentary during meetings is not permitted and would be considered disorderly in accordance with Standing Order 20.
- ii) Where the public are excluded from a meeting, those present must not report on the meeting using any means which might allow non-attendees to see, hear or receive commentary on proceedings (including filming, photography, audio recording or oral/written commentary) unless the meeting resolves that such reporting can take place.

### **21. Delegated Authority**

- i) Sometimes a decision needs to be taken between meetings. Where the matter needs full discussion, the Chair might call an extraordinary meeting but delegation is a useful tool. Section 101 (of the Local Government Act 1972) allows a council to delegate the power to make decisions to an officer, a committee or a working group. For example, the Council's financial regulations allow purchases and invoices for up to £750 to be approved by the Clerk, The Chair and Vice-Chair and the Chair of Committees or Working Groups providing there are sufficient funds in the budget allocated for that purpose.

- ii) In most cases delegated powers agreed by full Council will only be used where it is impractical to wait for the full Council and they must always be presented to full Council retrospectively for scrutiny.

## **21. Management of Information**

- i) In accordance with freedom of information legislation, the Council shall comply with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015. We will publish information in accordance with our publication scheme and respond to requests for information held by the Council in accordance with FOI regulations.
- ii) The Council will minimise its use of personal data, storing only that which is either essential to the running of the Council or in the public domain. Personal or sensitive information will only be shared within the Council and only with those who have a need to see it.
- iii) The Council has a written policy in place for responding to and managing a personal data breach. We will record the facts relating to any personal data breach, its effects and the remedial action taken. Where necessary we will report any incidents to the ICO.
- iv) ***For more detailed information on how the Council manages data and information please see our Data and Information Handbook at [www.darleydale.gov.uk](http://www.darleydale.gov.uk).***

## **22. Financial Matters**

- i) Each year, in the first three months of the new calendar year, the Council will discuss and agree the Precept for the following year based on recommendations from the Finance Advisory Committee.
- ii) Every year, the Council will consider and approve financial regulations drawn up by the Responsible Financial Officer which include detailed arrangements in respect of the keeping of accounting records and systems of internal controls.
- iii) The Clerk will report annually on the work of the independent internal and external auditors and the outcome of the Annual Governance and Account Review.
- iv) The Clerk will report each month on the status of the Council's finances.
- v) ***For more detailed information on how the Council manages its finances please see our Financial Regulations at [www.darleydale.gov.uk](http://www.darleydale.gov.uk).***

## **23. Expenditure**

- i) All non-delegated payments made on behalf of the Council will be authorised by a resolution of the Council. For delegated payments, approval must be given retrospectively within two calendar months.
- ii) Bank transactions should be authorised by two members of Council, one of whom will be the Chair or Vice-Chair.
- iii) During the budget year and with the approval of Council, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate. Unspent provisions in the revenue budget shall not be carried forward to a subsequent year.
- iv) The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once subject to a limit of £750. The Clerk shall report the action to the Council as soon as possible.

## 24. Marketing, consultation and publicity

- i) Talking to and consulting with other Councils, organisations, businesses and our residents is perhaps our most important function. Doing so effectively means better informed decisions which reflect the needs and priorities of the people we represent.
- ii) The Chair, Vice-Chair and Clerk will meet regularly with representatives of DDDC to discuss a range of issues with next steps and outcomes being tracked and reported to Council after each meeting. Councillors can propose additional topics for discussion and are welcome to join the meeting to talk about a topic which they are leading on or which they are particularly passionate about.
- iii) We continue to press for regular meeting with DCC but to date these usually take the form of email exchanges, phone calls or, occasionally, meetings to discuss a specific topic. Councillors can propose additional topics for discussion and are welcome to join the meeting to talk about a topic which they are leading on or which they are particularly passionate about.
- iv) Our main means of publishing information and talking to residents are:
  - a. Community Voice – quarterly magazine delivered to all homes in Darley Dale covering news and events. Content is overseen by the Community, Events and Marketing Working Group.
  - b. Our website – news and local events as well as the place where we publish details of meetings, minutes and our core procedures and policies. Updated and maintained by the Clerk’s office.
  - c. Facebook – a group with regular stream of updates for residents on issues ranging from roadworks to rewilding. Often prompts useful discussions. Managed by the Community Engagement Officer.
  - d. Consultations – an area we plan to exploit more in future by asking residents their opinions on specific issues and on the general priorities that they see for the town.
  - e. Councillor use of social media is covered in more detail in the Council’s Code of Conduct which is available at [www.darleydale.gov.uk](http://www.darleydale.gov.uk). In summary though, our policy is that when discussions arise, for the CEO to issue simple acknowledgements, clarifications or an invite to get in touch as appropriate. Councillors should avoid commenting in an official capacity and avoid voicing any opinions which could bring the Council into disrepute.