

REPORT TO FINANCE AND POLICY COMMITTEE

Item 7 - Annual Review of the Council's Standing Orders

Meeting Date 5th March 2023

Released to Council on 27th February 2024

Prepared by Town Clerk

Background

By way of reminder the Council's Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

The Council's standing orders are broadly based on the NALC Model standing orders. The most fundamental differences are the order and style of the Town Council's standing orders to present them in a more logical order (e.g. not starting with the minutiae of rules of debate on motions and in more accessible terms.) The Town Council's standing orders comply with legislation and accepted best practices.

There was a thorough review of standing orders in 2021 following the revised publication in 2020. NALC's Regulation/Paragraph 18 was updated in April 2022 and the Town Council's equivalent regulation in their standing orders also has been updated to reflect those further changes.

Proposed changes this year:

1. That it would be prudent to add the following additional provision at paragraph 18. ('Committees and Subcommittees') of the standing orders. As this is something that happens in practice so should be stipulated in the rules:

‘Any Council member shall, unless the Council otherwise orders, be entitled to be present at the meetings of any committee or sub-committee of which that person is not a member and, at the discretion of the Chairman, be permitted to speak but not vote (ex-officio members can vote as per 18k).’

2. Following comments received, you may wish to revisit the rules on substitutes at committee and sub-committee meetings. The Town Council's standing orders currently state:

‘j) To safeguard a quorum and to ensure an adequate spread of representation, the following Scheme of Substitution shall apply:

Any Member, for the time being, of the Council's Standing Committees or Sub-committees may be substituted (in respect of one or more meetings of the Committee or Sub-committee) in accordance with the following provisions:

i. The Member to be substituted may only be substituted by another named Member of the Council who has been specifically named as such in the approved list of members of Standing Committees and Sub-committees.

ii. Substitution shall be permitted when a Councillor is ill, or away on business or holiday; but shall not be used habitually in order to change the make-up of a Committee or Sub-committee.

iii. Members of Committees sitting ex officio shall not, by reason of their status, be allowed substitutes.

Iv. Each Councillor shall be responsible for arranging their own substitute's attendance.

V. Any Councillor arranging a substitution shall inform the Clerk of the meeting of the arrangement before the start of the meeting in question.

Vi. A record shall be kept in the Minutes of the Meeting of any substitutions made in accordance with this Standing Order; and the record shall, as such, be open to inspection by the public.

Vii. Any substitution effected in accordance with this Standing Order shall be reported to the next meeting of the Council, by means of the Minutes of the Committee or Sub-committee concerned.

Viii. A maximum of three Members shall be named as substitutes for each Standing Committee or Sub-committee; two from the Majority Party and one from the Minority Party'

In practice this means that named substitutes for each committee are agreed in May each year and only those named can act as substitutes for those meetings. This is a practice that has been employed by this Council for a number of years without issue. However if you would like more flexibility over substitutions you could amend paragraph i above to;

i. The Member to be substituted may only be substituted by another Member of the Council (i.e. any Councillor not on the Committee) who has been selected/notified by the apologising Councillor, or the Town Clerk, if notification of a substitute has not been received/confirmed.

If you wish to make this change paragraph viii would also need to be deleted.

A full copy of the current standing orders are available at
<https://www.tring.gov.uk/town-council/policy-documents/>

A has also been saved to the shared google drive.