

**NORTHSTOWE TOWN COUNCIL**

**MOTION PAPER**

**SECTION 1A - To be filled in by submitter of the Motion:**

<b>Report from</b>	Town clerk
<b>On behalf of</b>	N/A
<b>Date</b>	21 <sup>st</sup> September 2023
<b>For Meeting of Council/Committee</b>	Full Council
<b>Date of meeting</b>	26 <sup>th</sup> September 2023
<b>Agenda item no.</b>	135/23-24
<b>Confidentiality</b>	N/A
<b>TITLE OF MOTION</b>	<b>STANDING ORDERS – PROPOSED UPDATES</b>
<b>MOTION(S)</b>	<p>1) To receive NTC’s Standing Orders, with proposed changes highlighted in track-changes (motion paper and document attached).</p> <p>2) To agree to the proposed changes and adopt the updated Standing Orders.</p>
<b>Background</b>	<p>Although Standing Orders are not compulsory by law (Local Government Act (LGA) 1972, Sch 12, para 42), no Local Council can operate without them. This is a key policy document: it sets out how the Council functions, and helps the Council in regulating its business and proceedings.</p> <p>The policy document may need to be updated along the way, to reflect changes and respond to emerging issues in conducting Council business. The first version, using the NALC Standing Orders template, was adopted at the Council’s formation in May 2021, and has seen several updates since.</p>
<b>Issues/items for consideration by the Council</b>	The changes being proposed to the Council’s Standing Orders are summarised in <b>Appendix A</b> , also giving reasons for these proposals.
<b>Recommendations</b>	<p>For the Town Council;</p> <p>1) To receive NTC’s Standing Orders, with proposed changes highlighted in track-changes (motion paper and document attached).</p> <p>2) To agree to the proposed changes and adopt the updated Standing Orders.</p>
<b>Appendices</b>	<b>Appendix A</b> summarises the changes proposed, and the reasons for these proposals.
<b>Documents:</b>	Standing Orders, with track changes of proposed new changes

**SECTION 1B - To be filled in by submitter of the Motion:**

<b>Input needed from Clerk?</b>	Clerk has prepared this document.
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**PLEASE NOTE:** Agenda item requests: in order to be considered for inclusion on the agenda, motions with all associated papers *must* be received by the Clerk in a final format at least 7 clear days<sup>i</sup> before the meeting at which you would like your item to be considered – if any input is required from the Clerk please provide sufficient additional time for the Clerk to schedule in for any feedback and/or additional research that may be required.

**SECTION 2 - To be filled in by the Clerk:**

Meets/links with Council objectives:	<b>YES</b> - Effective Governance	√
Staffing Implications: <sup>ii</sup>	<b>YES</b> – Several of the proposals for changes would result in more effective use of scarce staff time, e.g. reduction in need for calling for extraordinary meetings, or seeking prior approval for training needs.	←

Volunteer need implications:	N/A	√
Equalities & Human Rights <sup>iii</sup>	There are no equalities and human rights issues Details, where relevant: N/A	√
Crime and Disorder <sup>iv</sup>	Crime and disorder have been considered Details, where relevant: N/A	√
Biodiversity <sup>v</sup>	There are no (negative) bio-diversity implications Details, where relevant: N/A	√
Sustainability	Is in line with the Council's Plastic-Free Pledge N/A	√
Financial <sup>vi</sup>	There are no financial implications at this stage N/A	√
	There will be financial implications; Details: N/A	√
	There is provision within the budget Budget heading & details: N/A	√
	Decisions may give rise to additional expenditure; Details: N/A	√
	Decisions may have potential for income generation; Details: N/A	√
Other Resource implications (besides finance):	Details: N/A	√
Health and Safety implications <sup>vii</sup>	Details: N/A	√
Legal	Power under which the spend can be actioned: <sup>viii</sup> Local Councils may make and amend Standing Orders to regulate its business and proceedings – <a href="#">Local Government Act 1972, Sch 12, para 42.</a>	√
	GDPR - Data Privacy Impact Assessment: <sup>ix</sup> Details, where relevant: N/A	√
	Other considerations: N/A	√
Risk Management	Material risks <sup>x</sup> exist and these are considered and being assessed: Details: <b>YES</b> - Several proposals would reduce risks to the Council – e.g. ensuring all Councillors are trained up, and further clarity on council business practices.	←
Other Considerations:	N/A	√

## APPENDIX A - PROPOSED CHANGES TO THE STANDING ORDERS

SECTION	PROPOSED CHANGES	REASON
Throughout	Adopting gender-neutral terminology throughout ('they/their' instead of 'he/his'; 'Vice-/Chair' instead of 'Vice-/Chairman')	Gender neutral terminology is deemed more appropriate.
Throughout	Consistency in use of capitalisation ('Council'; 'Councillors'; 'Vice-Chair'; 'Proper Officer'; 'Financial Officer')	To address inconsistent use of capitalisation in the NALC template.
Extended Section 3(w)	<b>If a meeting is or becomes inquorate no business shall be transacted</b> and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting; <b>the Proper Officer, in correspondence with the Chair of the Council or relevant Committee, shall make a decision as to which meeting(s) items are to be moved to.</b>	As a result of meetings having been inquorate on various occasions, adding this text will make it clearer what procedures will be set in motion immediately to ensure that the planned business can reappear at the next appropriate meeting.
New section 4(xiii)	<b>The Chair and Vice-Chair of Committees are (re-)elected annually, at their first Committee meeting following the Annual Meeting of the Town Council.</b>	This addition is proposed, to formalise what has been done in practice for the last three years. This was most recently discussed at the <a href="#">23<sup>rd</sup> May 2023 Full Council meeting, item 40/23-24</a> ).
New section 4b(i-iv)	<p><b>4b Working Groups</b></p> <ul style="list-style-type: none"> <li><b>i. The Council, as well as its Committees, can decide to set up Working Groups, where deemed useful or necessary.</b></li> <li><b>ii. Working Groups function as 'Task and Finish' Groups, researching information, considering options and collating information.</b></li> <li><b>iii. Working Groups do not have any decision-making powers, instead always reporting back to the Council or Committee which set up the Working Group. Members of Working Groups need to be careful to ensure that no predetermination takes place at any stage before items are brought to Council for their consideration and decision-making.</b></li> <li><b>iv. In order for Working Groups to be set up, the following elements need to be prepared and brought to the Council for consideration: Terms of Reference, setting out the remit</b></li> </ul>	There have been various Council discussions regarding the functioning of Working Groups and what key elements would need to be in place for a Working Group to be set up and can before it can start functioning. These additions would provide clarity on expectations regarding Working Groups.

	<p>and tasks for the Working Group; anticipated duration for the need of the Working Group; leader of the Working Group to be appointed; members of the Working Group to be appointed (which could include named, external partners).</p>	
<p>New section 8b(a-c)</p>	<p><b>8b Councillor training</b></p> <p><b>a All Councillors are expected to undergo new Councillor training within six months of becoming a Town Councillor.</b></p> <p><b>b All Chairs and Vice-Chairs of the Council and its Committees are expected to follow Chairing training within six months of taking up their role.</b></p> <p><b>c All Councillors are encouraged to attend other relevant training opportunities, and request cover for any costs to the clerk, as per 15 (xix).</b></p>	<p>The Local Government Act 1972, s.111 and s.175 provide the Town Council with power to train staff and Councillors. The Town Council has set budget aside for Councillor training.</p> <p>Although there is no strict legal obligation for Councillors to be trained, in practice almost all Town Councillors have taken up on the opportunity to follow training opportunities, in particular the (new) Councillor training and Chairing training offered.</p> <p>Including these sections in the Standing Orders will also make it clearer to all Councillors what the expectations are regarding training, and may also ensure that more Councillors will actively expand their skills set through training opportunities provided by partner organisations that the Council is a Member of (and other opportunities provided).</p>
<p>Extended section 15(b)(xv)</p>	<p>refer a planning application received by the Council to the [Chair or in their absence Vice-Chair (if there is one) of the (Planning) Committee] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the [( Planning ) committee].</p> <p><b>Where an extraordinary committee meeting is deemed impossible or impractical and a timely response to a planning application is needed (where, for instance an extension to the consultation deadline cannot be obtained), the Proper Officer – following consultation with the Chair, or in their absence Vice-Chair of the Committee - shall be able to make a formal planning consultation response on behalf of the Town Council.</b></p>	<p>Extending this section may help in ensuring that, in exceptional cases where a planning consultation deadline extension cannot be obtained and moving an item to a scheduled meeting or calling for an extraordinary planning committee meeting is not feasible considering timescales or for other reasons, the opportunity to respond to an application is not missed.</p>

New section 15(b)(xvi)	The Proper Officer shall, in correspondence with the Chair of the Committee have delegated powers to nominate Councillor(s) to represent the Town Council for joining Local Authority's Planning Committee meetings where required, or requested, to respond in more detail to planning applications commented on by the Town Council.	Following a couple of scenarios where a Town Council representation was requested to formally present at a Local Authority Planning Committee and to be able to answer questions from the Authority's Members regarding the Town Council comments on an application, including this section will ensure that no extraordinary meeting needs to be called for to decide who could represent the Council at such meetings.
New section 15(b)(xix)	The Proper Officer/Town Clerk shall, for all staff members as well as for Councillors, be able to approve training costs, subject to sufficient funds being available within the relevant budget headings.	<p>Training opportunities often come up unexpectedly and including this section will help ensure that good opportunities are not missed as no scheduled meeting takes place before the training takes place (or risking training options already being full by then).</p> <p>This was also raised by the internal auditor - from <a href="#">Internal Audit held in November 2022</a>, 'I'd put forward a resolution giving him delegated powers to approve training costs for both him and councillors. This is considered common practice amongst larger councils and will ensure that training opportunities are not missed if there is no relevant meeting within the time frame to approve the expenditure.'</p>
Extended section 19(c)	The Chair of [the (Personnel) committee] or in their absence, the Vice-Chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Proper Officer/Town Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by [the (Personnel ) committee]. All staff appraisal documentation related to the annual performance review which takes place annually in September or October, is to be finalised within one week of the Annual Performance Review meeting taking place.	<p>In light of the experience regarding the latest appraisal, clear deadline for finalisation of annual performance review paperwork is to be included. This is important as the outcomes of the review could have direct implications for salary changes and/or training needs and thus need to feed into the budget development in a timely manner.</p> <p>This need was also flagged up in <a href="#">most recent internal audit</a> as something to be implemented: 'Staff appraisal documents should be signed off in a timely fashion following appraisal meetings [...]'</p>

<sup>i</sup> Northstowe Town Council's [Standing Order 9 b,d](#).

<sup>ii</sup> The Council has a legal duty to ensure it looks after employees' health and wellbeing (the Health and Safety at Work etc act 1974).

<sup>iii</sup> The key legislation regarding unlawful discrimination is the Equality Act 2010, which amongst other requires the Council to monitor for compliance with the Equality Duty.

<sup>iv</sup> The Council has a legal duty to act with due regards to crime and disorder in the area (Crime and Disorder Act 1998, s17).

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<sup>v</sup> The Council has a legal duty to have regard to conserving biodiversity (Natural Environment and Rural Communities Act 2006, s40).

<sup>vi</sup> It is the RFO's duty to manage financial risks on behalf of the Council, as described in the Local Audit and Accountability Act 2014 and Accounts and Audit Regulations 2015, reg 4.

<sup>vii</sup> See also Town Council's [Health and Safety Policy](#).

<sup>viii</sup> See here for an [Overview of relevant discretionary powers](#) beyond the General Power of Competence.

<sup>ix</sup> See also the Town Council's [Data Protection Policy](#).

<sup>x</sup> See Town Council's [Risk Management Plan](#).