

DUNSTABLE TOWN COUNCIL

CONSTITUTION, STANDING ORDERS AND DELEGATION TO COMMITTEES AND OFFICERS

1. Title and Area

The Council shall be called the Dunstable Town Council and operate in the area specified in the South Bedfordshire (Parishes) Order 1985 Order setting up the Parish Council or in any subsequent amendment.

2. Definitions

Unless the sense suggests otherwise any reference to "Council" or "the Council" means the Dunstable Town Council or Meeting (as appropriate) and any reference to "the Town Clerk" means the Clerk of the Council. The expression "Town Mayor" or "Mayor" means Chairman of the Council. Any reference to "he" or "him" in this document shall include "she" and "her".

3. Functions

The functions of the Council shall be:

- (a) To exercise such powers and duties as are laid upon it by these rules.
- (b) To exercise such powers and duties as are laid upon it by statute.
- (c) To exercise such powers and duties as are laid upon it by delegation from the Bedfordshire County Council or South Bedfordshire District Council.
- (d) To protect, enhance and promote the environment of the area of the Parish Council.
- (e) To protect, enhance and promote the collective interests and well-being of the residents of the Parish of Dunstable.
- (f) To make representations to South Bedfordshire District Council, Bedfordshire County Council, and any other Statutory Body or Public Utility on matters affecting the residents of Dunstable Parish.
- (g) To stimulate and foster support for approved policies of the Council.

4. Constitution

- (a) The Council shall consist of:
 - (i) 21 Members elected by the electors of the Parish of Dunstable or such other number as may be specified by the District Council which shall not be less than five
 - (ii) Such co-opted Members as the Council may determine.

- (b) For the purposes of the election referred to in (a(i)) above the area of the Council shall be divided into six wards each electing Members as specified below:

Central Ward	3 Members
Chiltern Ward	3 Members
Icknield Ward	4 Members
Manshead Ward	3 Members
Northfields Ward	4 Members
Watling Ward	4 Members

- (c) All Councillors shall retire together in every ordinary year of election of such Councillors on the fourth day after the ordinary day of election of such Councillors and the newly elected Councillors shall come into office on the day on which their predecessors retire.

5. **Financial and Administrative Year**

The Financial and Administrative year of the Council shall be in the period commencing on the first day of April and ending on the thirty-first day of March in the following year.

6. **Meetings of the Council**

- (a) Meetings of the Council shall be held at Grove House, 76 High Street North, Dunstable commencing at 7.30pm unless otherwise determined.
- (b) The Statutory Annual Meeting of the Council will be held on the third Monday in May of each year save other than in an election year when it will be held on Monday next following the fourth day after the ordinary day of elections to the Council.
- (c) Ordinary meetings of the Council will be held on Mondays as determined annually by the Council and subject to at least a total of six meetings being held in any administrative year.
- (d) An extraordinary meeting of the Council may be called at any time by the Town Mayor.
- (e) If the Town Mayor refuses to call an extraordinary meeting of the Council after a requisition for that purpose, signed by two Members of the Council, has been presented to him, or if, without so refusing, the Town Mayor does not call an extraordinary meeting within seven days after such a requisition has been presented to him, any two Members of the Council, on that refusal or on the expiration of these seven days, as the case may be, may forthwith convene an extraordinary meeting of the Council.

- (f) Three clear days at least before a meeting of the Council:
 - (i) Notice of the time and place of the intended meeting shall be fixed in some conspicuous place in the Parish and, where the meeting is called by Members of the Council, the notice shall be signed by those Members and shall specify the business proposed to be transacted at the meeting; and
 - (ii) A Summons to attend the meeting, specifying the business proposed to be transacted at the meeting and signed by the Proper Officer of the Council, shall be left at, or sent by post to, the usual place of resident of every Member of the Council.
- (g) Meetings of the Council and its Committees shall be mandatorily adjourned after two and a half hours unless the Members resolve to either an earlier or later adjournment.

7. **Chairman of Meeting**

The person presiding at a meeting may exercise all the powers and duties of the Town Mayor in relation to the conduct of the meeting.

8. **Proper Officer**

Where a Statute, Regulation or Order confers functions or duties on the Proper Officer of the Council in the following cases, he shall be the Town Clerk:

- (a) To receive Declarations of Acceptance of Office
- (b) To receive and record notices disclosing pecuniary interests
- (c) To receive and retain plans and documents
- (d) To sign notices and other documents on behalf of the Council
- (e) To receive copies of Bylaws made by the District Council
- (f) To certify copies of Bylaws made by the Council
- (g) To sign summonses to attend meetings of the Council or its Committees
- (h) In any other case the Proper Officer shall be the person nominated by the Council and, in default of nomination, the Town Clerk.

9. **Quorum**

- (a) A quorum of the Council shall be one third of the Members.
- (b) If a quorum is not present when the Council meets or if during a meeting the number of Councillors present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or at such other time as the Town Mayor may arrange.

10. **Voting**

- (a) Members shall vote by a show of hands, or if at least two Members so request, by signed ballot except in the election of the Mayor and Deputy Mayor of the Council which shall be by secret ballot.
- (b) If a Member so requires, the Town Clerk shall record the names of the Members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.
- (c) Subject to (d) and (e) below the 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 gave no original vote.
- (d) Subject to (e) below the Mayor may not give an original vote in the election for the Office of Town Mayor on any occasion when he will himself immediately after such an election retire from the Council.
- (e) The person presiding must give a casting vote whenever there is an equality of votes in an election for Town Mayor.

11. **Order of Business**

(NB: In an election year Councillors should execute Declarations of Acceptance of Office in the presence of each other, or in the presence of the Town Clerk or his nominated Deputy, before the Annual Meeting commences. For this purpose Councillors should convene at least 15 minutes before the commencement of the Annual Meeting.)

- (a) At each Annual Meeting the first business shall be:
 - (i) To elect a Town Mayor
 - (ii) To receive the Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received
 - (iii) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations
 - (iv) To receive a report on the membership of the Council and Declarations of Acceptance of Office (election year only)
 - (v) To decide when any declarations of acceptance of office and written undertakings to observe the Code of Conduct adopted by the Council which have not been received as provided by law, shall be received
 - (vi) To elect a Deputy Mayor of the Council
 - (vii) To receive the Deputy Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received

- (viii) To appoint Members to the Standing Committees of the Council
 - (ix) To appoint the Chairmen and Vice Chairmen of the Standing Committees, if so decided, and the Chairman of any other committee that may be appointed, should the Council so decide
 - (x) To appoint representatives to other organisations
 - (xi) To determine the amount of the Town Mayor's Allowance for the ensuing year
 - (xii) Such other business as specified in the agenda for the meeting.
- (b) At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice Chairman be absent and to receive such Declarations of Acceptance of Office (if any) as are required by law to be made or if not then received to decide when they shall be received.
 - (c) In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees.
 - (d) After the first business has been completed the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:
 - (i) To approve the signing of the Minutes of the previous meeting, by the presiding Chairman, as a correct
 - (ii) To hear representations from the public
 - (iii) To consider questions from members under Standing Order 16
 - (iv) To deal with business expressly required by Statute to be done
 - (v) To consider reports of committees
 - (vi) To consider any reports from the Clerk
 - (vii) To consider motions, notice of which has been given in the summons
 - (viii) Any other business specified in the summons
 - (e) A motion to vary the order of business on the grounds of urgency
 - (i) May be proposed by the Mayor or by any Member and, if proposed by the Mayor may be put to the vote without being seconded, and
 - (ii) Shall be put to the vote without discussion.

12. **Election of Town Mayor and Deputy Mayor**

- (a) The Town Mayor shall be elected annually from among the Councillors.
- (b) The election of the Town Mayor shall be the first business transacted at the Annual Meeting of the Council and if, apart from paragraph (h), the person presiding at the meeting would have ceased to be a member of the Council he shall not be entitled to vote in the election except in accordance with paragraph (c).
- (c) In the case of an equality of votes in the election of a Mayor the person presiding at the meeting shall give a casting vote in addition to any vote he may have.
- (d) The Mayor shall, unless he resigns or becomes disqualified, continue in office until his successor becomes entitled to act as Mayor.
- (e) The Council may pay the Mayor for the purpose of enabling him to meet the expenses of his Office such allowance as the Council thinks reasonable.
- (f) The Council shall appoint a Member of the Council to be Deputy Mayor of the Council.
- (h) During their term of office the Mayor and Deputy Town Mayor shall continue to be Members of the Council notwithstanding the provisions of Standing Order 4(c).
- (i) Subject to any provisions of these Standing Orders anything authorised or required to be done by, to or before the Mayor may be done by, to or before the Deputy Mayor.

13. **Notice of Resolutions**

- (a) A motion may be submitted by any Member.
- (b) Except as provided by these Standing Orders no resolution may be moved unless the proposer has given notice in writing of its terms and has delivered the notice to the Town Clerk at least five clear days before the next meeting of the Council or the appropriate Committee.
- (c) The Town Clerk shall insert in the summons for every meeting all the notices of motion or recommendation properly received unless the proposer has stated in writing that it is intended to move at some later meeting or that the motion is withdrawn.
- (d) If a resolution or recommendation specified in the summons is not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (e) Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

14. **Resolutions of an Urgent or Emergency Nature**

Any Member may propose a resolution on a subject requiring urgent attention subject to:

- (a) Notice setting out the resolution is given to the Mayor at the commencement of the meeting.
- (b) The Council approve a resolution agreeing to the motion being added to the order paper for the meeting.

15. **Resolutions Without Notice**

Resolutions dealing with the following matters may be moved without notice at any time:

- (a) To appoint a Chairman of the meeting
- (b) To correct the Minutes
- (c) To approve the Minutes
- (d) To alter the order of business
- (e) To proceed to next business
- (f) To close or adjourn the debate
- (g) To refer a matter to a Committee
- (h) To appoint a Committee or any Member thereof
- (i) To adopt a report
- (j) To authorise the sealing of documents
- (k) To amend a motion
- (l) To seek leave to withdraw a motion or amendment
- (m) To suspend Standing Orders
- (n) To exclude press and public
- (o) To silence or eject from the meeting a Member named for misconduct
- (p) To invite a Member having an interest in the subject matter under debate to remain
- (q) To approve adding emergency resolutions to the agenda.

Providing the motion is seconded the question shall be put without debate.

16. **Questions**

- (a) Any Member may ask the Town Mayor any questions concerning the business of the Council on giving notice of its terms and having delivered the notice to the Mayor or the Town Clerk at least 5 clear days before the meeting
- (b) Every question shall be put and answered without discussion
- (c) A person to whom a question has been put may decline to answer.

17. **Reports of Committees**

- (a) The reports of each Committee shall be divided into
 - (i) recommendations which are submitted to the Council for adoption and
 - (ii) other matters which do not require such approval.
- (b) The items in the report of a Committee shall be considered individually and in order and a separate vote shall be taken on each recommendation included in a Committee's report.
- (c) Upon the consideration of a Committee report the Chairman or other Member of that Committee shall move that the report be received and the recommendations contained therein (if any) be adopted. When the motion has been seconded the Town Mayor or other person presiding at the meeting shall invite questions and then comments in respect of each item included in the Committee's report. A Member shall not be limited as to the number of questions he may ask but may not rise to comment more than once on each item.
- (d) The mover of the motion to receive a Committee's report shall have the right of reply to any comments made on an item included in that report.

18. **Rules of Debate**

- (a) No discussion shall take place upon the Minutes except upon their accuracy. Correction to the Minutes shall be made by resolution and must be initialled by the Town Mayor.
- (b) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has already been given, it shall, if required by the Town Mayor, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- (c) A Member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- (d) A Member shall direct his speech to the question under discussion, or to a personal explanation, or to a question of order.

- (e) An amendment shall not have the effect of negating the motion before the Council.
- (f) No speech shall exceed ten minutes, except by consent of the Council.
- (g) An amendment shall be either:-
 - i) To leave out words
 - ii) To leave out words and insert or add others
 - iii) To insert or add words
- (h) If an amendment is carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendments may be moved.
- (i) The mover of a resolution or of an amendment shall have a right of reply.
- (h) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion, and no Member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- (j) The ruling of the Town Mayor on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (k) Members shall address the Town Mayor.
- (l) A Member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move the closure.
- (m) A Member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A Member rising for these purposes shall be heard forthwith.
- (n) When a resolution is under debate no other resolution shall be moved except the following:-
 - i) To amend the resolution
 - ii) To proceed to the next business
 - iii) To adjourn the debate
 - iv) That the question be now put
 - v) That a Member named be not further heard

- vi) That a Member named do leave the meeting
- vii) That the resolution be referred to a Committee
- viii) To exclude the public and press
- ix) To adjourn the meeting.

19. **Closure**

At the end of any speech a Member may without comment, move "that the question be now put" or "that the Council do now adjourn". If such a motion is seconded and if the Town Mayor is of the opinion that the question before the Council has been sufficiently debated (but not otherwise) he shall forthwith put the motion. If the motion "that the question be now put" is carried he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after the right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

20. **Alteration of Resolution**

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

21. **Right of Reply**

The mover of a resolution shall have the right to reply immediately before the resolution 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.

22. **Rescission of Previous Resolution**

- (a) A decision of the Council shall not be reversed within six months save by a special resolution, the written notice of which bears the names of at least four Members of the Council.
- (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.
- (c) This order shall not apply to rescinding resolutions moving in pursuance of the report or recommendation of a Committee.

23. **Conduct of Members**

- (a) No Member shall misconduct himself at a meeting by persistently disregarding the ruling of the Town Mayor, by wilfully obstructing business or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

- (b) If, in the opinion of the Town Mayor, a Member has acted in a manner contrary to that required, the Town Mayor shall express that opinion to the Council and thereafter any Member may move that the Member named be no longer heard or that the Member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If a Member reasonably believes another Member is in breach of the Code of Conduct, that Member is under a duty to report the breach to the Standards Board.
- (c) If either of the motions mentioned in paragraph (d) is disobeyed the Town Mayor may suspend the meeting or take such further action as may reasonably be necessary to enforce them.
- (d) All Members must observe the Code of Conduct which was adopted by the Council on 29th April 2002, a copy of which is annexed to these Standing Orders.

24. **Disqualification of a Parish Councillor**

- (a) If a Member fails throughout a period of six consecutive months from the date of his last appearance to attend any meeting of the Council, he will cease to be a Member of the Council, unless the failure is due to some reason approved by the Council before the expiry of the six months period.
- (b) Attendance at a meeting of a Committee or Sub-Committee of the Council or at a joint Committee of the Council and another local authority is deemed to be attendance at a meeting of the Council.

25. **Casual Vacancies**

- (a) In the event of a vacancy occurring, for whatever reason, in the membership of the Council, the vacancy will be advertised by public notice in one or more local publications.
- (b) A by-election will be held if, within fourteen days, a poll is claimed by ten electors.
- (c) If a poll is not claimed the vacancy may be filled by co-option within sixty days of the date of the public notice and the Council will be convened to fill the vacancy.
- (d) The person co-opted will complete the Declaration of Acceptance of Office and serve for the remainder of the term of the Councillor replaced.

26. **Liaison with County and District Councillors**

A Notice of Meeting together with an invitation to attend shall be sent to the County and District Councillors representing the area of the Town Council.

27. **Finance**

- (a) The funds of the Council shall be kept in the name of the Council at a Bank approved by the Council.
- (b) No financial liabilities shall be incurred or payments made except under a special or general authorisation of the Council.
- (c) Payments made by cheque or any other order shall be signed by any two of the appointed Members of the Council, together with the Town Clerk (or such other officer nominated by him) if so required by the Council.
- (d) The accounts of the Council shall be made up by the Town Clerk at the end of each financial year and submitted to the Council as soon as is practicable thereafter irrespective of whether or not the accounts have been audited.
- (e) Except as provided in paragraph (f) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council or the Finance and General Purposes Committee or a Sub-Committee appointed by it for that purpose.
- (f) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Unless it has been otherwise authorised by the Council, payment shall be authorised by the Committee, if any, having charge of the business to which it relates or by the Town Mayor or Deputy Town Mayor of the Council.
- (g) All payments authorised under sub-paragraph (f) of this Standing Order or made without authority of the Council shall be separately included in the next schedule of payments laid before the Council.
- (h) The Responsible Financial Officer shall supply to each Member as soon as practicable after 31st March in each year a Financial Statement prepared on the appropriate accounting basis for a year to 31st March. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval in accordance with the Accounts and Audit Regulations.
- (i) The Town Clerk may be required to compile and hold a Register of Members' Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

28. **Estimates**

- (a) Any Committee desiring to incur expenditure during the next financial year to be defrayed out of the income of the Council shall submit its proposals to the Town Clerk prior to the meeting of Finance and General Purposes Committee to be held in January each year.

- (b) At the meeting of the Finance and General Purposes Committee held in January consideration shall be given to the detailed proposals of expenditure and income submitted by the Town Clerk and recommendations made to the January or February meeting of the Council as to the amount of precept to be levied for the ensuing financial year.
- (c) Any motion that is moved otherwise than in pursuance of a recommendation of the Finance and General Purposes Committee or another Committee supported by the Finance and General Purposes Committee and which if carried, would, in the opinion of the Town Mayor substantially increase the expenditure upon any service which is under the management of, or reduce the revenue at the disposal of, any Committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council and any Committee affected by it shall consider whether it desires to report thereon. The Finance and General Purposes Committee shall report on the financial aspect of the matter.

29. **Sealing of Documents**

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

30. **Voting on Appointments**

Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

31. **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 or Committee (as the case may be) has decided whether or not the public shall be excluded. (See SO 37).

32. **Interests – Members**

- (a) If a Member has a personal interest as defined by the Code of Conduct adopted by the Council on 29 April 2002 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

If a Member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates, unless

- (i) The disability imposed upon him by those sections has been removed by the District Council; or
 - (ii) The Council invite him to remain; or
 - (iii) The contract, proposed contract or other matter is under consideration as part of the report of a Committee and is not itself the subject of debate.
- (b) The Town Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any Member or any officer of the Council of a pecuniary interest in a contract, and the book shall be open during reasonable hours of the day for the inspection by any Member.

33. **Interests – Candidates for Council Employment**

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

Where a relationship to a Member is disclosed the Standing Orders on interests of Members in contracts and other matters shall apply.

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

34. **Canvassing of and Recommendations by Members**

- (a) Canvassing of Members or any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment.

The Town Clerk shall make known the purpose of this paragraph of this Standing Order to every candidate.

- (b) A Member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or promotion; but nevertheless a Member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- (c) Standing Orders 32 and 33 shall apply to tenders as if the person making the tender were a candidate for an appointment.

35. **Standing Orders on Contracts**

- (a) When it is intended to enter into a contract exceeding £10,000 but not exceeding £50,000 in value for the supply of goods or materials or for the execution of works, the Town Clerk shall where practicable obtain at least three competitive quotations and shall not accept other than the lowest.
- (b) Where the value of the intended contract exceeds £50,000 sealed tenders shall be invited from a minimum of 4 firms included in the appropriate standing list of contractors maintained by the District Council, or if no such list is maintained then from such firms as may be determined having sought advice from the relevant Council consultant.
- (c) Notice of a contract exceeding £50,000 shall state the general nature of the intended contract and state the name and address of the person to whom tenders are to be addressed and the last date by which the tenders should reach that person in the ordinary course of post.
- (d) If no tenders are received or if all tenders are identical the Council may take such arrangements for procuring the goods or materials or executing the works as it thinks fit.
- (e) A notice issued under this Standing Order shall contain a statement of the effect of Standing Orders 32 and 33.
- (f) The Town Clerk together with the Chairman of the relevant Committee (or other officer or member nominated by them) shall open all tenders immediately after the closing date for submission and record the name and price of each tender and sign each entry.
- (g) The Town Clerk shall not accept other than the lowest tender without the consent of the appropriate Committee of the Council.
- (g) The Town Clerk shall be authorised to accept the lowest tender provided it does not exceed the estimated value of the work as indicated in the relevant approved revenue or capital budget.

36. **Inspection of Documents**

- (a) A Member may for the purpose of his duty as such (but not otherwise) inspect any document in the possession of the Council or a Committee, and if copies are available shall on request, be supplied for the like purpose with a copy.
- (b) All Minutes kept by the Council and by any Committee shall be open for the inspection of any Members of the Council.
- (c) The Minutes of the Council shall be open to inspection by any Local Government elector of the Parish without charge.

37. **Admission of the Public and Press to Meetings**

- (a) The public and press shall be admitted to all meetings of the Council and its Committees, which may, however, temporarily exclude the public or press or both by means of the following resolution, viz:

"That in view of the 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."

- (b) The Town Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- (c) There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.
- (d) Representations from the public at Council meetings should be received by the Town Clerk in writing a minimum of five working days prior to the date of the Council meeting. Representations from the public at Committee meetings will only be accepted if the representations are relevant to specific agenda items or at the discretion of the Chairman of the Committee meeting.
- (e) Representations by or on behalf of the public shall be restricted to a maximum time of three minutes per person up to a maximum total time of fifteen minutes. Where more than three people wish to make representations the time allocated to each person shall be determined and declared by the Chairman. Where the representations relate to an item on the agenda the Chairman may defer the hearing or adjust the order of the Agenda as he may decide.
- (f) If a Member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the Council Chamber or that part of the Chamber open to the public be cleared.

38. **Confidential Business**

- (a) No Member of the Council or of any Committee shall disclose to any person not a Member of the Council any business declared to be confidential by the Council or Committee as the case may be.

Members should exercise discretion in quoting any remarks made in Council or Committee especially when the press or public are excluded, or simply not present when quotes to a third party should only be attributed to a Member with that Member's permission.

- (b) Any member in breach of the provisions of paragraph (a) above of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

39. **Committees**

The Council may at the Annual Meeting appoint standing Committees, and may at any other time appoint such other Committees as are necessary, but subject to any statutory provision in that behalf:-

- a) shall not appoint any Member of a Committee so as to hold office later than the next Annual Meeting, and
- b) may, subject to the provisions of Order 22 above, at any time dissolve or alter the Membership of a Committee
- c) the Town Mayor and Deputy Town Mayor shall be Members of every Committee
- d) every Committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council unless such election takes place at the Annual Meeting of the Council
- e) the Chairman of a Committee or the Town Mayor may summon a special meeting of that Committee at any time. A special meeting shall also be summoned on the requisition in writing of not less than a quarter of the Members of the Committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting
- f) every Committee may appoint Sub-Committees for purposes to be specified by the Committee
- g) the Chairman and Vice-Chairman of the Committee shall be Members of every Sub-Committee appointed by it unless they signify that they do not wish to serve
- h) except when ordered by the Council in the case of a Committee or by the Council or by the appropriate Committee in the case of a Sub-Committee, the quorum of a Committee or Sub-Committee shall be one-half of its Members
- i) the Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of Members in contracts and other matters shall apply to Committee and Sub-Committee meetings insofar as they are appropriate.

40. **Voting on Committees**

- a) Members of Committees and Sub-Committees shall vote by show of hands.
- b) Chairmen of Committees and Sub-Committees shall have a second or casting vote.

41 **Presence Of Non-Members Of Committees At Committee Meetings**

- a) A Member who has proposed a motion which has been referred to any Committee of which he is not a Member, may explain his motion to the Committee but shall not vote.
- b) Any Council Member shall, unless the Council otherwise orders, be entitled to be present as a spectator at the meetings of any Committee or Sub-Committee of which he is not a Member, save that any Council Member may attend and speak but not vote at meetings of the Plans Sub-Committee of Highways, Parks and Planning Committee.

42 **Delegation to Committees**

Except as mentioned below, each Committee shall exercise on behalf of the Council the functions assigned to it as set out below. Committees are not bound to exercise delegated powers and may at their discretion refer matters to the Council for decisions. Each Committee is required to submit to the Council a report of its proceedings since the previous meeting of the Council.

43. **Delegation - Exceptions**

- a) The borrowing of money
- b) The levying of a rate
- c) The disposal of land, other than lettings for two years or less
- d) The introduction of new major policy or a change in the Council's established policy
- e) The making of byelaws
- f) The purchase of land not provided for, or at a cost in excess of a sum allowed therefor, in any approved capital works.

44. **Sub-Committees**

Committees may, subject to the concurrence of the Council, appoint Sub-Committees and (subject to the foregoing exceptions) such of the Committees' powers and duties as the Council may resolve, may be delegated to Sub-Committees. Each Sub-Committee is required to submit to the main Committee a report of its proceedings since the previous meeting of the Committee.

45. **Delegation to Committee Chairmen, Vice-Chairmen and Officers.**

The following powers shall be delegated to the Committee indicated:

(a) **Finance and General Purposes Committee**

- (i) To advise the Council in formulating its objectives and priorities and in establishing programmes. To recommend such steps as are necessary to achieve objectives.
- (ii) Without detracting from the duties and responsibilities of the other Committees, to review the effectiveness of the whole of the Council's organisation, its standards and levels of service.
- (iii) To control the policies of all Committees and, where appropriate, to make recommendations thereon to the Council.
- (iv) To consider and make recommendations on any matters referred to it by the Council or other Committees.
- (v) To assemble and submit to the Council estimates of income and expenditure for each financial year after considering estimates submitted by the other Committees.
- (vi) To advise the Council on the regulation and control of the Council's finances; including in particular the financial implications and funding of any capital works.
- (vii) The policy management of the Council's financial resources - in particular capital funds, repairs and renewals fund.
- (viii) To control the collection of revenues of the Council and to write off irrecoverable amounts.
- (ix) To determine policy regarding insurances.
- (x) To consider and make recommendations to the Council concerning any proposed expenditure or reduction in income for which no provision has been made in the approved Estimates.
- (xi) To receive auditors' reports and make recommendations as to any policy matters raised thereby or arising therefrom.
- (xii) To deal with town twinning, hospitality, civic and public relations activities and any applications for grant aid not within the purview of another Committee.
- (xiii) To advise on the making of any byelaws not specifically the responsibility of any other Committee or District or County Council.

- (xiv) To consider all matters relating to manual and administrative staff including the appointment of additional staff (with the exception of the Town Clerk who shall be appointed by the Town Council).
- (xv) To make recommendations to the Council on the conduct of its own business - including Standing Orders, Committee organisation and membership and calendar of meetings.
- (xvi) To consider all matters relating to the Council's Depot and Offices including the determination of applications to use any of the facilities therein.
- (xvii) To deal with any matter not specifically allocated to another Committee.
- (xviii) To liaise with Bedfordshire Police concerning community policing issues in respect of Dunstable.
- (xix) To consider all matters relating to Fire and Rescue Service, Trading Standards and Action Points falling to the Council by special arrangement with Bedfordshire County Council.

(b) **Accounts Sub-Committee**

- (i) To approve the payment of Accounts in accordance with Standing Order 27.
- (ii) To monitor the level of Council income/expenditure compared with the approved Estimates and to make any recommendations thereon to the Finance and General Purposes Committee.
- (iii) Any Member of the Council may act as a substitute member and attend, speak and vote at meetings of this Sub-Committee.

(c) **Town Centre Management Committee**

(Comprising 5 Town Councillors, 5 District Councillors, 2 County Councillors and such other co-opted non-voting advisers as the Committee will determine.)

- (i) To serve as a partnership forum for all those involved in town centre initiatives to consult with each other and co-ordinate their activities so as to realise their aspirations for the town centre
- (ii) To set the broad direction of the partnership, taking into account the needs of the town centre's customers, employees, residents, visitors, traders, property owners and developers. This to include devising and updating a recommended Town Centre Strategy, for approval by Executive/Council.
- (iii) To inform and advise the relevant committees of the local authority/authorities on all aspects of their responsibilities for the town centre and its environs.

- (iv) To co-ordinate the activities of the various town centre service providers and those responsible for meeting the needs of the town centre.
- (v) To undertake and co-ordinate marketing and promotional work for the town centre.
- (vi) To seek funding opportunities for the furtherance of town centre initiatives and to agree a detailed action plan for the town centre in accordance with the approved Town Centre Strategy and other approved local authority policies.

(d) **Highways, Parks and Planning Committee**

- (i) To consider all matters relating to highways, footpaths and bridleways.
- (ii) To respond, on behalf of the Council, to the proposals of other authorities relating to transportation and car parking issues, including traffic regulation orders.
- (iii) The provision and maintenance of public conveniences, bus shelters and litter bins.
- (iv) The provision and day to day running of allotments/leisure gardens, parks, recreation grounds, open spaces and play areas in the control of the Council.
- (v) The management and maintenance of Dunstable Cemetery.
- (vi) To consider all Planning Applications within the Parish submitted to the South Bedfordshire District Council and subsequently advise the District Planning Authority of the Town Council's views.
(This function has in turn been delegated to the Plans Sub-Committee).
- (vii) To consider any local plans, proposed listed buildings, conservation areas, tree preservation orders and building preservation orders.
- (viii) To consider all matters relating to the physical environment of the town, including litter and dog control, re-cycling of waste materials and liaising with local interest groups on such issues.
- (ix) To assemble and submit to the Finance and General Purposes Committee estimates of income and expenditure for each financial year in respect of all the services of this Committee.

(e) **Plans Sub-Committee**

- (i) To consider all Planning Applications within the Parish submitted to the South Bedfordshire District Council and subsequently advise the District Planning Authority of the Town Council's views.

- (ii) To comment, on behalf of the Town Council, on any traffic regulation proposals or other urgent matters proposed by South Bedfordshire District or Bedfordshire County Councils.
- (iii) Any Member of the Council may act as a substitute member and attend, speak and vote at meetings of this Sub-Committee.

(f) **Community Development Committee**

- (i) The management and maintenance of the Peter Newton Pavilion and Downside Community Centre, 'The Place' Youth and Community Centre and the Mayfield Centre.
- (ii) To consider all matters relating to the Council's duties and responsibilities in respect of Dunstable Young People's Centre, St Augustine's Church and Community Hall, Beecroft Community Centre the Salvation Army Community and Worship Hall and any other similar community facilities.
- (iii) The provision of community events and activities at each of the venues referred to in items 1 and 2 above and at other appropriate locations including, if desired, holiday playschemes.
- (iv) To keep under review the need for additional community facilities and to make recommendations as to how to satisfy such need.
- (v) To consider all matters relating to Community Education and Social Services falling to the Town Council by special arrangement with Bedfordshire County Council.
- (vi) To consider and award, within an overall budget approved by the Council, financial grants to local voluntary organisations.
- (vii) To assemble and submit to the Finance and General Purposes Committee estimates of income and expenditure for each financial year in respect of all the services of this Committee.
- (viii) To liaise with local voluntary organisations on the development of voluntary services.

(g) **Library and Promotions Committee**

- (i) To produce and manage an annual programme of cultural, artistic and sporting promotions and events
- (ii) To liaise with Dunstable Arts Council on the development of sporting and artistic facilities
- (iii) To consider all matters relating to Priory House
- (iv) To consider all matters relating to Leisure Services (including Dunstable Library and Dunstable Downs) falling to the Town Council by special arrangement with Bedfordshire County Council.

- (v) To assemble and submit to the Finance and General Purposes Committee estimates of income and expenditure for each financial year in respect of all the services of this Committee.

(h) **Town Clerk**

The following powers shall be delegated to the Town Clerk or in his absence the Deputy Town Clerk.

- (i) Grant or refusal of applications for Exclusive Rights of Burial, interment of human or cremated remains and erection of memorials at Dunstable Cemetery within the policies prescribed by the Council
- (ii) Incurring all items of expenditure included within the approved budget for the relevant year except where an item is expressly excluded in the budget and subject to compliance with Standing Orders with respect to contracts and to Financial Regulations
- (iii) Grant or refusal of applications to hire Council premises or sports facilities within the policies prescribed by the Council

46 **Matters of Urgency**

The Chairman and Vice-Chairman of any Committee (provided that, if either or both be not available, any other Member(s) of the appropriate committee shall act in their stead) shall be authorised to exercise any powers within the purview of their Committee, but not otherwise delegated, provided they are satisfied that action is required as a matter of urgency.

The Members so acting shall be deemed to constitute a Sub-Committee of the Committee concerned.

47 **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 such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board.

48 **Standing Orders**

- (a) Any part of the Standing Orders except those required by statute may be suspended by resolution in relation to any specific item of business.
- (b) A motion to permanently vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
- (c) These Standing Orders shall not be altered or rescinded except with the consent of at least two thirds of the Members present and voting at a meeting of the Council.

49 **Standing Orders to be given to Members**

A printed copy of these Standing Orders shall be given to each Member by the Town Clerk upon delivery to him of the Member's Declaration of Acceptance of Office.

50 **Approval of Standing Orders**

The foregoing Constitution, Rules and Standing Orders were approved by the Council on 14th February 2005

..... Town Mayor
Cllr Mrs J K Fairbairn

..... Town Clerk
R Walden

(As amended in accordance with FGP Minute 279, August 2005 – addition at 45(c) – Town Centre Management Committee)