

PROCEDURAL STANDING ORDERS

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PROCEDURAL STANDING ORDERS

COUNCIL MEETINGS

STANDING ORDER No.1 Meetings

1. (1) At the Annual Meeting, the Council will decide the dates for its ordinary meetings during the year, unless this has been dealt with at an earlier meeting of the Council.
- (2) The Annual Meeting and Ordinary Meetings will be held at 6.30 p.m. and any Extraordinary Meetings will be held at a time to be fixed by the Chief Executive, after consultation with the Mayor.
- (3) All Council Meetings will be summoned by the Chief Executive and will be held in the Council Chamber at The Council House, South Street, Atherstone, but the Chief Executive may (if the Chamber is not available for a particular meeting) arrange an alternative venue within the Borough.

Note: (a) The procedure for convening the Annual Meeting and Extraordinary Meetings is specified in paragraphs 1 and 3 respectively of Schedule 12 to the Local Government Act, 1972.

- (b) Please also refer to Standing Order No 13 in relation to Extraordinary Meetings of the Council.

STANDING ORDER No. 2 Mayor and Deputy Mayor

2. The Mayor and Deputy Mayor will be elected at the Annual Meeting.

STANDING ORDER No.3 Chairing the Meeting

3. (1) The Mayor (or in his/her absence, the Deputy Mayor) will chair meetings of the Council. In their absence, the Council will choose another member to chair the meeting
- (2) Any of the Mayor's powers or duties for conducting a meeting may be exercised by the member who chairs the meeting.

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STANDING ORDER No.4 Quorum

4. No business can be dealt with at a Council Meeting unless there is a quorum of 9 members present. If there is no quorum, the meeting must be adjourned immediately and any remaining business postponed to a date and time fixed by the Mayor at the adjournment or, if no such arrangements are made, to the next ordinary meeting.

STANDING ORDER No.5 Order of Business

5. (1) The order of business at ordinary meetings will be:-
 - (a) to choose a person to chair the meeting if the Mayor and Deputy Mayor are absent.
 - (b) to deal with any business required by law to be done before any other business
 - (c) to receive apologies for absence
 - (d) to receive Declarations of Interest from members
 - (e) to approve the minutes of the last ordinary (or annual) meeting and any subsequent extraordinary meeting and sign them.
 - (f) to deal with any business specifically required by law.
 - (g) to receive the Mayor's announcements.
 - (h) to deal with any business remaining from the last meeting.
 - (i) to answer questions asked under Standing Order No. 7 (2).
 - (j) to receive and consider minutes and recommendations of Boards, Committees, Panels and Area Forums.
 - (k) to consider motions in the order in which notice has been received.
 - (l) to receive the Returning Officer's return of Councillors elected at any recent bye-election or uncontested election.
 - (m) to authorise the sealing or signing of any Orders, Deeds or Documents necessary to give effect to any resolution of the Council.
 - (n) to deal with other business, if any, specified in the summons.
- (2) The order of business under paragraphs (f) to (n) above may be changed by the Mayor or by a motion passed without discussion. The motion need not be in writing.
- (3) The business to be transacted at the Annual Meeting of the Council shall be as set out in paragraph (1) above but with the addition of items for the election of Mayor and Deputy Mayor and, in a year of ordinary elections, to receive the Returning Officer's return of Councillors elected.

COUNCIL MEETINGS

STANDING ORDER No. 6 Approval of Council Minutes

6. (1) The Mayor will move "That the minutes of the meeting of the Council held on _____ (date) be approved as a correct record".
- (2) THE MINUTES ARE NOT TO BE DISCUSSED, EXCEPT ON A MOTION TO QUESTION THEIR ACCURACY. IF THERE IS NO SUCH MOTION OR WHEN ONE HAS BEEN DEALT WITH, THE MAYOR WILL SIGN THE MINUTES.
- (3) Where an extraordinary meeting of the Council is held, the minutes of the last ordinary (or annual) meeting of the Council shall not be approved at that meeting, but shall be approved, together with the minutes of the extraordinary meeting, at the next ordinary (or annual) meeting.

STANDING ORDER No.7 Questions

7. (1) A member may ask the Chairman of a body any question about an item in that body's minutes when that item is under consideration by the Council.
- (2) If notice is given under paragraph (3) below, a member may ask the Mayor or the relevant Chairman, a question about any matter directly affecting the borough or for which the Council has responsibilities.
- (3) Written notice of a question under paragraph (2) must be delivered in writing or sent by electronic mail or facsimile transfer to the Chief Executive by 9.30 am two working days before the day of the meeting. However, the Mayor, if satisfied that it is urgent, can allow a question to be put, if written notice is received by the Chief Executive by 10.00 a.m. on the day of the meeting through one of the delivery methods referred to above.
- (4) A question must be asked and answered without discussion. The member questioned can decline to answer.
- (5) An answer can be:
 - (a) spoken;
 - (b) written and circulated to members at the meeting,
 - (c) written and circulated to members within 7 days of the meeting; or
 - (d) by reference to a Council publication or other published work that contains the information requested.
- (6) All questions asked under this Standing Order shall be questions of fact only and not of opinion.
- (7) No questions shall be put to an officer of the Council, except with the consent of the Council.
- (8) The Mayor may disallow questions:-

COUNCIL MEETINGS

- (a) if in an unsuitable form or if frivolous in character; or
- (b) where an answer would not, in the Mayor's opinion, be in the interest of the public or of the Council; or
- (c) which, at an extraordinary meeting, do not relate to the particular business to be transacted

STANDING ORDER No. 8 Adoption of Minutes by the Council

- 8. (1) The minutes of a body will be presented to the Council by the Chairman of the body concerned whether or not present at the relevant meeting (or in his/her absence at the Council meeting by the Vice-Chairman or another member of that body) who shall move "That the minutes of the meeting of the body held on _____(date) be received and adopted". This motion, when seconded, will have the effect of moving every item in the minutes which requires confirmation. This paragraph and paragraph (3) below shall apply to the Standards Committee, even though the persons proposing and/or seconding the motion may be Independent Members of the Committee and, therefore, not Borough Councillors.
- (2) The Mayor will then call out the number of each page and any member who wishes to speak on a minute on that page must do so immediately after the page number has been called.
- (3) When all the items in the minutes have been dealt with, the Chairman will immediately move the adoption motion under paragraph (1) without further discussion. On being passed, it will have the effect of adopting the minutes subject to any amendments already made.
- (4) Where a recommendation is made by one body to another, the adoption by the Council of the minute of the body making the recommendation is not to be regarded as approval by the Council of the substance of the recommendation.

STANDING ORDER No.9 Motions and Amendments not requiring Notice

- 9. Notice is not required to move motions and amendments:-
 - (1) to propose a person to chair a meeting;
 - (2) about the accuracy of the minutes,
 - (3) to change the order of business on the agenda,
 - (4) to refer a matter to an appropriate body or Senior Officer;
 - (5) to constitute bodies and to appoint members or other persons to other bodies (including outside organisations) where relevant to an item of business mentioned in the summons to the meeting;

COUNCIL MEETINGS

- (6) to adopt minutes and recommendations of bodies and any consequential resolutions;
- (7) to withdraw an item of business or withdraw a motion;
- (8) to extend the time limit for speeches;
- (9) to amend a motion;
- (10) to go to the next business;
- (11) to put the question to an immediate vote;
- (12) to adjourn the debate;
- (13) to adjourn the meeting;
- (14) to authorise the sealing of documents;
- (15) to suspend standing orders
- (16) to exclude the public and press;
- (17) not to hear a member further or to require a member to leave the meeting (Standing Order No. 21);
- (18) to give the consent of the Council where required by these standing orders;
- (19) to record the Council's appreciation or condolence.

STANDING ORDER No. 10 Notice of Motion

Procedure

10. (1) Notice of every motion (except those listed in Standing Order No. 9) must be given in writing, signed by the proposer giving the notice and delivered to the Chief Executive not later than noon one week before the meeting of the Council
- (2) The Chief Executive will date and number the motions in the order in which they are received and enter them in a book which is open to inspection by members.

Details to be set out in Summons

- (3) Motions will be printed in the Summons in the order in which notice was received unless the member who gave the notice states in writing that the motion has been withdrawn or will be moved at a later meeting.

COUNCIL MEETINGS

Motion not Moved

- (4) If a motion is not moved and seconded at the meeting in the form set out in the summons, it will be treated as withdrawn, unless the Council vote to postpone it.

Automatic Reference to a Body

- (5) If the subject matter of a motion comes within the province of any body it will, when moved, be referred for consideration, without discussion, to the relevant body. However, the Mayor may allow the motion to be dealt with at the meeting at which it is moved. A member who has proposed a motion which has been referred to any body as above, may be present during its consideration by that body and will be able to explain it.

Scope

- (6) Every motion must relate to something for which the Council has responsibilities or which directly affects the Borough.

STANDING ORDER No 11

Voting

11. (1) Voting at Council meetings will be by a show of hands unless 3 members, before the vote is taken, stand and request a recorded vote to show how each member voted. In a recorded vote, the name of any member abstaining from voting must also be recorded.
- (2) If the number of votes for and against a proposal are equal, the Mayor has a second or casting vote.
- (3) Immediately after a vote is taken, a member may require that there shall be recorded in the minutes of the proceedings of that meeting whether that person voted for or against the proposal or whether he/she abstained from voting.
- (4) If more than two persons are proposed for any position to be filled by the Council, and no-one receives more than half of the votes cast, the person with the least number of votes will cease to be a candidate and a fresh vote will be taken. This procedure will continue until one person obtains more than half the votes, but if at the end of this procedure, there are only two persons remaining and neither of them secures more than half of the votes cast, because of abstentions or for any other reason, the person with the greater number of votes will be appointed to the office.

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STANDING ORDER No. 12

Motions on Expenditure

12. (1) Any motion, except a motion under Standing Order 10, which, if carried, will increase the expenditure of or reduce the revenue from a service under the control of any body or will involve capital expenditure must, when proposed and seconded (unless the Council decides otherwise), stand adjourned without discussion to the next ordinary meeting of the Council and any body affected by such a motion shall consider whether it wishes to report on the matter.
- (2) This procedure shall not, however, apply to any motion which arises from any report or recommendation of a body provided that the Resources Board has considered the financial aspects of the proposal.

STANDING ORDER No. 13

Extraordinary Meetings of the Council

13. (1) Those listed below may request the Chief Executive to call Council meetings in addition to Ordinary and Annual meetings.
 - (i) the Council by resolution;
 - (ii) the Mayor;
 - (iii) the Monitoring Officer; and
 - (iv) any five Members of the Council if they have signed a requisition presented to the Mayor. If the Mayor refuses to call a meeting or fails to call a meeting within seven days of the presentation of the requisition, the five members concerned may require the Chief Executive to call the meeting. The requisition must specify the business which it is proposed to transact at the meeting.
- (2) The summons for an Extraordinary Meeting of the Council shall set out the specified business and no other business shall be considered at that meeting.

RULES OF DEBATE
FOR COUNCIL MEETINGS

STANDING ORDER No. 14
Motions Generally

***To be Proposed and seconded**

14. (1) A motion cannot be discussed unless it has been proposed and seconded. At a Council Meeting the Mayor shall require a motion to be written down and handed to the Chief Executive before it is voted on, unless the motion is straightforward

***Secunder's Speech**

- (2) A member when seconding a motion may reserve his/her speech until later in the debate.

***Alteration of Motion**

- (3) A member may, with the consent of the Council, signified without discussion : -
- (a) alter a motion of which he/she has given notice, or
 - (b) with the consent also of the seconder alter a motion which he/she has moved,
- if (in either case) the alteration is one which could be made as an amendment.

***Withdrawal of Motion**

- (4) A motion (including an amendment) may be withdrawn by the mover with the consent of the seconder and of the Council. No discussion is allowed after such consent has been requested unless consent is refused

Rescinding of motion

- (5) A motion to rescind any decision made within the last 6 months cannot be proposed unless the notice given under Standing Order No. 10 is signed by at least 9 members of the Council. When any such motion has been dealt with no-one can propose a similar motion for a further 6 months. This paragraph does not apply to a recommendation from a body.

* Also applies to Boards, Committees, Panels and Forums (see Standing Order No. 32).

**RULES OF DEBATE
FOR COUNCIL MEETINGS**

***STANDING ORDER No. 15
Motions during a Debate**

15. When a motion is being discussed, no other motion can be moved except:-
- (a) an amendment to the motion,
 - (b) to proceed to the next business (Standing Order No. 19(a))
 - (c) the vote be taken (Standing Order No. 19(b))
 - (d) to adjourn the debate or the meeting (Standing Order No. 19 (c))
 - (e) a member be not further heard or leave the meeting (Standing Order No. 21)
 - (f) to exclude the public and press under Section 100A (2) or Section 100A (4) of the 1972 Act or under the Access to Information Procedure Rules.

***STANDING ORDER No. 16
Speeches**

One Member to stand at a time

16. (1) A member when speaking must stand and address the Mayor. If two or more members stand, the Mayor will ask one to speak and the others must sit. Other members must remain seated while a member is speaking unless they wish to make a point of order or personal explanation. The Mayor has the right to waive the requirement for a Member to stand to speak where he/she considers it appropriate to do so.

Content of Speeches

- (2) A member must only speak about the matter under discussion or on a point of order or personal explanation.

Length of Speeches

- (3) Except with the consent of the Mayor or the Council, a Chairman of a body in his/her reply under Standing Order No 18 (1) must not speak longer than 12 minutes and other members must not speak longer than 8 minutes.

When a Member may Speak again

- (4) A member CAN ONLY SPEAK ONCE on a motion except.-
- (a) to speak once on an amendment moved by another member,
 - (b) to move a further amendment if the motion on which he/she last spoke has been amended;

* Also applies to Boards, Committees, Panels and Forums (see Standing Order No. 32).

RULES OF DEBATE
FOR COUNCIL MEETINGS

- (c) if his/her first speech was on an amendment moved by another member, to speak on the main motion, whether or not the amendment on which he/she spoke was carried;
- (d) in exercise of a right of reply under Standing Order No 18;
- (e) on a point of order, or
- (f) on a point of personal explanation.

***STANDING ORDER No. 17**
Amendments to Motions

17. (1) An amendment cannot be discussed until it has been proposed and seconded. At a Council meeting the Mayor shall require an amendment to be written down and handed to the Chief Executive before it is voted on, unless the amendment is straightforward.
- (2) An amendment must be relevant to the motion and must.-
- (a) refer a subject of debate to a body for consideration or reconsideration; or
 - (b) delete words;
 - (c) add words;
 - (d) delete words and insert others, BUT SUCH DELETIONS AND ADDITIONS MUST NOT SIMPLY NULLIFY THE EFFECT OF A MOTION BEFORE THE MEETING.
- (3) Only one amendment may be moved and discussed at a time and no further amendment can be moved until the amendment being discussed has been dealt with. However, the Mayor may permit two or more amendments to be discussed together if this would help business to be dealt with more efficiently. Similarly and so as also to ensure consistency of approach, the Mayor may also permit two or more amendments to be discussed and voted on together where recommendations are being made to the Council by two or more different bodies on the same or related subjects. The Mayor can decide the order for voting on such amendments and can also refuse to accept an amendment, if he/she believes it to be frivolous or the subject matter has already been substantially discussed earlier in the meeting
- (4) If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the amended motion takes the place of the original motion and becomes the motion on which any further amendment may be moved.

* Also applies to Boards, Committees, Panels and Forums (see Standing Order No. 32).

RULES OF DEBATE
FOR COUNCIL MEETINGS

***STANDING ORDER No. 18**
Rights of Reply

18. (1) The mover of a motion under Standing Order No. 8(1) has a right to reply at the end of the discussion:-
- (a) on any item in the minutes (whether there is to be a vote on that item separately from the other minutes, or not) or
 - (b) on any amendment. (But see paragraph (3) below.)
- Any vote must be taken immediately after the reply.
- (2) The mover of a Notice of Motion, dealt with at the meeting under Standing Order No. 10, has a right of reply immediately before the vote is taken on the motion or on an amendment.
- (3) The mover of an amendment will have a right of reply immediately before the mover of the motion exercises his/her right of reply under paragraph (1) and (2) above.

***STANDING ORDER No. 19**
Closure Motions

19. At the end of any speech, any of the following motions may be moved and seconded, without comment:-
- (a) "That the Council proceeds to the next business" (The Mayor will put this to the vote after giving any right of reply under Standing Order No 18),
 - (b) "That the vote be taken" (This must be voted on immediately - without discussion or right of reply. If it is carried then, after any right of reply has been given under Standing Order No. 18, the amendment or other motion must be voted on immediately.)
 - (c) "That the debate be adjourned" or "That the meeting be adjourned". (Either motion must be voted on immediately without discussion or right of reply.)

* Also applies to Boards, Committees, Panels and Forums (see Standing Order No. 32).

**RULES OF DEBATE
FOR COUNCIL MEETINGS**

***STANDING ORDER No. 20
Interventions**

Points of Order / Personal Explanations

20. (1) A member may rise on a point of order or in personal explanation, and is entitled to be heard immediately.
- (2) A point of order is a request to the Mayor for a ruling on any claimed irregularity in the constitution or conduct of the meeting. The member raising the point of order must specify the Standing Order or Act of Parliament concerned and the manner in which he/she claims it has been broken.
- (3) A personal explanation allows a member briefly to correct or explain an error in, a misunderstanding as to, or a misquotation from, an earlier speech by him/her
- (4) The ruling of the Mayor on a point of order or personal explanation is not open to discussion and shall be final.

Respect for Chair

- (5) WHEN THE MAYOR STANDS DURING A DEBATE, ANY MEMBER SPEAKING MUST STOP TALKING AND SIT DOWN AND THE COUNCIL MUST BE SILENT.

***STANDING ORDER No. 21
Disorderly Conduct by Members**

21. (1) If any member persistently disregards the ruling of the Mayor, or behaves irregularly, improperly or offensively, or wilfully obstructs Council business, the Mayor or any other member may move: "That Councillor (*Name*) be not further heard". This motion, if seconded, must be voted on immediately without discussion
- (2) If the member continues to misbehave after a motion under paragraph (1) has been carried the Mayor can either:-
- (a) move: "That Councillor (*Name*) leave the meeting" (This must be voted on immediately without being seconded or discussed), or
- (b) adjourn the meeting for as long as he/she considers necessary.
- (3) If there is a general disturbance making orderly business impossible, the Mayor has the power to adjourn the meeting for as long as he/she considers necessary.

* Also applies to Boards, Committees, Panels and Forums (see Standing Order No. 32).

RULES OF DEBATE
FOR COUNCIL MEETINGS

***STANDING ORDER No.22**
Discussions Involving Exempt Information

22. If the Chief Executive expresses the opinion that exempt information could be disclosed at a meeting during consideration of any item, no discussion shall take place until the Council has decided whether or not to exclude the public and press under Section 100A(4) of the 1972 Act.

* Also applies to Boards, Committee, Panels and Forums (see Standing Order No. 32).

BOARDS, COMMITTEES, PANELS AND FORUMS

STANDING ORDER No. 23

Appointment of Boards, Committees, Panels, Forums and Portfolio Holders

23. (1) The Council will, at its Annual Meeting, appoint such Boards, Committees, Panels, Forums and Portfolio Holders as it is required to appoint under any statute or by virtue of its Constitution.
- (2) The Council will, at the Annual Meeting, decide how many members will serve on each of the above bodies it appoints for the forthcoming year and will appoint their Chairmen and Vice-Chairmen (with the exception of the Standards Committee which shall appoint its own Chairmen and Vice-Chairmen) together with other members after considering recommendations from the Leader of the Council and the Leaders of the other political groups on the Council. The Council, on the recommendation of these members, will also appoint the Portfolio Holders
- (3) The Council can, at any time:-
- (a) appoint other Boards, Committees, Panels, Forums, other bodies or Portfolio Holders; or
- (b) dissolve or alter the membership of any Board, Committee, Panel or Forum it appoints or change a Portfolio Holder appointment.
- (4) A body can appoint, from its own members, Panels, Sub-Committees or Task and Finish Groups for purposes specified by the appointing body within its terms of reference. When such a Panel, Sub-Committee or Task and Finish Group is appointed, the Chairman and Vice-Chairman of the appointing body are automatically members of the Panel, Sub-Committee or Task and Finish Group concerned and are, respectively, its Chairman and Vice-Chairman, unless they inform the Chief Executive to the contrary.
- (5) The minutes of a Panel, Sub-Committee or Task and Finish Group must be reported to its parent body for approval or, if it has delegated powers, for information.
- (6) No member's term of office on one of these bodies will extend beyond the date of the next Annual Meeting of the Council, with the exception of the Independent Members of the Standards Committee who may be appointed for periods of longer than one year.
- (7) A resignation of a member from a Board, Committee, Panel, Forum, Sub-Committee or Task and Finish Group will take effect when written notice is received by the Chief Executive.
- (8) Casual vacancies on Boards, Committees, Panels or Forums caused by death, resignation or disqualification will be filled by the Council. Casual vacancies on bodies appointed under Standing Order No. 23(4) will be filled by the parent Body.

STANDING ORDER No. 24

Meetings

24. (1) The Council will fix the dates for meetings of its bodies, but the Chief Executive can, in consultation with the Chairman, alter the date of a particular meeting. Notice of any alteration must immediately be given to all members of the body concerned.
- (2) Each body will individually fix the times of its meetings, but the Chief Executive can, in consultation with the Chairman, alter the time of a particular meeting. Notice of any alteration must immediately be given to all members of the body concerned.

BOARDS, COMMITTEES, PANELS AND FORUMS

- (3) The dates and times for meetings of those bodies appointed under Standing Order No. 23 (4), will be fixed by the Chief Executive, in consultation with the Chairman concerned.
- (4) All meetings will be summoned by the Chief Executive and will be held in The Council House, South Street, Atherstone, but the Chief Executive (if accommodation is not available for a particular meeting) may arrange an alternative venue within the Borough.
- (5) The Chairman of a body or the Mayor can require the Chief Executive to summon a special meeting at any time. Similarly, three members of Board, Committee, Panel or Forum and two members of any other body, by a written request specifying the business to be considered, can also require the Chief Executive to call a special meeting
- (6) Meetings of the Executive Board solely for peacetime or wartime emergencies can be called at any time by the Chief Executive after consultation with the Chairman, if possible. If necessary, telephone notice of the meeting will be sufficient. Lack of notice to one or more members will not invalidate the proceedings of that meeting.

STANDING ORDER No. 25 Agendas and Reports

25. (1) When the agenda is sent to the members of a body, it shall at the same time be sent to the other members of the Council for their information.
- (2) When the reports are sent to the members of a body, they shall also be sent to other members of the Council who have requested them. Such requests for reports can be made at any time and should be made through:-
 - (i) the Assistant Chief Executive in cases where all agendas and reports of a specific body are required throughout the municipal year; or
 - (ii) the Contact Officer for the report (ie the Report Author) where a particular report is required.

(To assist members in relation to (i) above, a questionnaire will be distributed each year at the Annual Council Meeting, so that members can indicate which reports they would like to receive automatically throughout the municipal year, in addition to the reports of those bodies on which they will sit for that year)

- (3) If it is not possible to send a report to members of the Council before the relevant meeting, it must be circulated as soon as practicable after the meeting.
- (4) A member who wishes an item to be discussed at the next meeting of the appropriate body (whether or not he/she is a member of that body), must give a written note of the item to the Chief Executive not later than two working days before the day when the agenda and reports are normally despatched for that meeting. The Chief Executive will then, subject to the agreement of the relevant Chairman, include that item in the agenda and will so far as possible, within the time available, endeavour to obtain the advice and comments of the relevant officers on the subject.
- (5) In relation to paragraphs (2), (3) and (4) above, a report will only be included on an agenda for a meeting where it requires a formal decision to be taken by the Board, Committee, Panel or Forum, unless the Chairman, Chief Executive or relevant Director requests its inclusion on the agenda or the report concerns performance monitoring, new legislation or a consultation document. With these exceptions, all other reports will be excluded from the agenda. Details of such items will instead be sent by electronic mail, in a weekly information bulletin, to Members, for their information, and will not form part of the business for consideration at meetings.

BOARDS, COMMITTEES, PANELS AND FORUMS

- (6) A Portfolio Holder, for the portfolio he or she holds, shall have the right to attend any meeting of a body in order to explain or present a cross-cutting issue, implication or effect in relation to the subject matter in question, but shall not be entitled to vote unless he or she is a member of that body.

STANDING ORDER No. 26

Quorum for Board, Committee, Panel and Forum Meetings, excluding meetings of the Standards Committee

26. (1) With the exception of the Standards Committee, no business can be dealt with at a Board, Committee, Panel or Forum meeting unless there is present a quorum of 25% of its total membership, including any co-opted members. However, in no case can the quorum be less than two members.
- (2) If there is no quorum, the meeting must be adjourned immediately and any remaining business postponed to a date and time fixed by the Chairman at the adjournment or, if no such arrangements are made, to the next ordinary meeting.

STANDING ORDER No. 27

Quorum for the Standards Committee

27. (1) No business can be dealt with at a Standards Committee meeting unless at least 3 members are present, one of whom must be an independent member and another of whom must be a Borough Councillor.
- (2) If there is no quorum, the meeting must be adjourned immediately and any remaining business, postponed to a date and time fixed by the Chairman at the adjournment or, if no such arrangements are made, to the next ordinary meeting.
- (3) Where the Standards Committee is dealing with a Parish Council matter then, in addition to the requirements in paragraph (1) above, the meeting shall not be quorate unless at least one of the Parish Council members is present throughout the consideration of the Parish matter under discussion.

STANDING ORDER No. 28

Chairing the Meeting

28. (1) The Chairman (or in his/her absence, the Vice-Chairman) of each body will chair the meeting. In their absence, the other members present will choose one of their number to chair the meeting.
- (2) Any of the Chairman's powers or duties for conducting a meeting may be exercised by the member who chairs the meeting.

STANDING ORDER No. 29

Voting at Board, Committee, Panel and Forum Meetings

29. (1) Voting at the above meetings must be by show of hands.
- (2) If the number of votes for and against a proposal are equal, the Chairman has a second or casting vote.
- (3) Immediately after a vote is taken, a member may require that there shall be recorded in the minutes of the proceedings of that meeting whether that person voted for or against the proposal or whether he/she abstained from voting.

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STANDING ORDER No. 30 Minority Report (Temporary Removal of Delegation)

30. (1) Where a resolution is passed by a body, acting under delegated powers, that resolution will be reduced to a *recommendation* to the Council if:-
- (a) any member of the relevant body provisionally notifies the Chief Executive before 4.00 p.m. on the first working day after the resolution was passed that he/she intends to seek support, in accordance with paragraph (b) below; and
 - (b) not later than 5:00 p.m. on the third day after the resolution was passed, the Chief Executive receives a formal notice signed by not less than one-third of the members of the relevant body requesting that the resolution is submitted to the Council for confirmation.
- (2) When a provisional notice is given under paragraph (1)(a) above, no action will be taken on the resolution until the appropriate procedures mentioned in this Standing Order have been dealt with.
- (3) When a valid formal notice is received in accordance with paragraph (1)(b) no action will be taken on the resolution until the Council at its next meeting has had chance to consider the matter. At that stage, the resolution will be reported to the Council for confirmation with an indication that formal notice under this Standing Order has been given
- (4) If a formal notice under paragraph (1)(b) is not received within the time allowed, the resolution must be put into effect immediately.
- (5) This Standing Order will not apply to any decision of a relevant body on:
- (a) an application which requires a decision to be made within a specified time which will expire before the date of the next ordinary Council meeting, if the delay would invalidate that decision; and
 - (b) the appointment of an Officer to fill a vacancy in the service of the Council

STANDING ORDER No. 31 Overview and Scrutiny: Call-In Procedure and Arrangements

31. (1) When decisions are made by a Policy Board or Area Forum, the Convenor and Deputy Convenor of the relevant Overview and Scrutiny Board will be sent a record of them by the Assistant Chief Executive.

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- (2) That record will specify that the decision will come into force, and may then be implemented, on the expiry of five working days after the date of the decision, unless the Convenor of the relevant Overview and Scrutiny Board (or the Deputy-Convenor in his/her absence) calls it in, by notice in writing, by electronic mail or by facsimile transfer addressed to the Chief Executive, whereupon the decision shall stand referred to the next ordinary meeting of that Overview and Scrutiny Board and shall be treated as though the Policy Board or Area Forum had not exercised its delegated powers in relation to such item.

N.B. The right to call in will only apply:-

- (i) **where, in the opinion of the Monitoring Officer, there is evidence to suggest that a Policy Board or Area Forum took a decision which was not in accordance with the principles set out in Article 12 (Decision Making) in Part 2 of this Constitution; and/or**
- (ii) **to those decisions which do not come within the exceptions set out in paragraph (7) below.**
- (3) If there is no meeting of the relevant Overview and Scrutiny Board planned within the following ten working days then, where possible, the Chief Executive after consultation with the Convenor of that Overview and Scrutiny Board, may call an additional meeting on such date as he/she may determine, and such a meeting should be held within fifteen working days of the decision to call-in. The Chief Executive shall also at the earliest practicable date notify the Chairman of the relevant Policy Board or Area Forum of the call-in.
- (4) If having scrutinised the decision, the Overview and Scrutiny Board is still dissatisfied, it may either
- (i) Refer the decision back to the relevant Policy Board or Area Forum for reconsideration, setting out in writing the nature of its concerns, along with any recommendation and further matters as appropriate. The Board or Forum shall reconsider the decision within a further ten working days, amending the decision or not, before adopting a decision which will be final
- or
- (ii) Refer the matter to full Council. However, matters may only be referred to the full Council if the Overview and Scrutiny Board consider that the decision is contrary to the policy framework or budget set by the full Council. The decision taken by the Council will be final.
- (5) The decision to refer a matter either for reconsideration to the original Board or Forum making the decision or to full Council must be taken by the relevant Overview and Scrutiny Board on the basis of a simple majority vote.
- (6) If, following the call-in of an item, the Overview and Scrutiny Board does not meet in the period set out in (3) above, or does meet but does not refer the matter back to the relevant Policy Board or Area Forum, or to the Council, then the decision shall take effect on the day after the expiry of the date set out in (3) above or the date of the Overview and Scrutiny Board meeting, as the case may be.
- (7) In order to ensure that the call-in process is not abused, nor causes unreasonable delay, certain limitations are to be placed on its use, as follows:
- (a) Decisions may only be called in once;

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- (b) Decisions may not be called in where they substantially relate to a matter which has been considered by the Overview and Scrutiny Board during the preceding six months;
 - (c) Save in exceptional circumstances, the relevant Overview and Scrutiny Board may call-in no more than five decisions every three months;
 - (d) Where decisions involve expenditure or reductions in service, only those over a value of £25,000 per annum may be called in; and
 - (e) Decisions may not be called in where they relate to individual employee issues, individual decisions on the conduct of members and individual decisions of the Regulatory Board
- (8) The call-in procedure set out above shall not apply where a decision being taken by a Policy Board or Area Forum is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the interests of the Council, the public, or one or more individuals. The record of the decision, and notice by which it is made public shall state whether in the opinion of the Head of Paid Service or his/her nominee, the decision is an urgent one, and therefore not subject to call-in. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
- (9) In the absence of notice to the contrary, the Chief Executive and Senior Officers shall be entitled to assume that any decision taken and resolved by an Policy Board or Area Forum pursuant to its delegated powers, should be implemented and the action taken by the Chief Executive or any Senior Officer to implement such a resolution will be that considered to be the most sensible, practical and efficient way to achieve the policy or activity so resolved.
- (10) The operation of the provisions relating to call-in and urgency shall be monitored annually by the Head of Paid Service or his/her nominee, and a report submitted to Council with proposals for review if necessary.

STANDING ORDER No 32

Rules of Debate for Board, Committee, Panel and Forum Meetings

32. The Rules of Debate at Council Meetings (Standing Orders 14 to 22) apply, with any necessary modification, to meetings of Boards, Committees, Panels and Forums except. -
- (i) Standing Order No 14 (5) - Rescinding of Motion; and
 - (ii) the requirements concerning standing and speaking only once.

MEETINGS GENERALLY

STANDING ORDER No.33 Notice of and Summons to Meetings

33. The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least 3 clear days before a meeting, the Chief Executive will send a summons signed by him/her to each member of the body to which the summons relates, and any other member who has requested notice of the meeting in accordance with the procedure set out in Standing Order No. 25(2). The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available. The summons and the reports to members may be sent by post, electronic mail, or left at the members usual place of residence.

STANDING ORDER No.34 Record of Attendances

34. Members attending a meeting must sign their names in the attendance book provided, which will be open to inspection by other members of the Council.

STANDING ORDER No.35 Attendance by Councillors at Meetings of which they are not Members

35. (1) Any Councillor can attend a meeting of which he/she is not a member. In addition, that Councillor, provided that he/she obtains the consent of the Chairman concerned before the meeting starts and also specifies the item(s) of business in which he/she is interested, can speak, but not vote, on the item(s) in question.
- (2) The Chairman will advise the Chief Executive of any consents given under this Standing Order before the start of each meeting.

STANDING ORDER No. 36 Admission to and Exclusion from Meetings

36. Members of the public and press may only be excluded from meetings either in accordance with the Access to Information Procedure Rules in Part 4 of this Constitution or Standing Order No. 37 (Disturbance by Members of the Public).

MEETINGS GENERALLY

STANDING ORDER No. 37 Disturbance by Members of the Public

37. (1) If a member of the public interrupts proceedings the person chairing the meeting will warn him/her. If he/she continues to interrupt, the person chairing the meeting can order his/her removal from the meeting room.
- (2) If there is a general disturbance in any part of the meeting room which is open to the public, the person chairing the meeting can order that part to be cleared.

STANDING ORDER No.38 Recordings at Meetings and other apparatus

38. (1) Any member of the Council, the public or the press attending Council, Board, Committee, Panel or Forum meetings may take written notes of the proceedings.
- (2) Subject to the exception in paragraph (4), no one, however, may bring into the meeting room any recording or communication apparatus of any other kind, unless the Chief Executive has given written permission beforehand or the meeting so allows. If anyone does so without permission, the person chairing the meeting can either order the person to leave at once and/or adjourn the meeting for as long as he/she considers necessary.
- (3) For the purpose of this Standing Order, "apparatus" in paragraph (2) means any equipment capable of producing a televised, video, photographic, film, sound or typewritten record whether for immediate transmission or subsequent use, or an active mobile phone or any other such apparatus.
- (4) A Member of the Council, in exceptional circumstances and with the approval of the person chairing the meeting, may be allowed to leave his/her mobile phone active for the purpose of receiving an anticipated emergency call, which shall then be answered outside the meeting room.

STANDING ORDER No. 39 Access to Information

39. (1) Where a member has the right to inspect or copy any document, that right must not be exercised in respect of a document about any matter in which the member is professionally interested or in which he/she has, directly or indirectly, any personal interest within the meaning of the Local Authorities (Model Code of Conduct) (England) Order 2001 or which is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.
- (2) Any member wishing to inspect a document not open to the public must, where practicable, give reasonable notice to the Chief Executive in advance so that the document can be made available.
- (3) All minutes (and other documents that are open to inspection) can be seen by members during office hours.

MEETINGS GENERALLY

- (4) All agenda, reports and other documents and all proceedings of meetings must be kept confidential unless and until they become public in the ordinary course of the Council's business.

STANDING ORDER No. 40 Adjournments

40. Where a meeting or debate is adjourned under Standing Order No. 19 or 21:-
- (a) the adjournment of an ordinary meeting may not extend beyond the date of the next ordinary meeting;
 - (b) the member who moved the adjournment will be entitled to speak first once the adjourned debate or meeting is resumed;
 - (c) the only business which may be discussed at the resumed meeting is that set out in the summons for the adjourned meeting; and
 - (d) when a meeting is adjourned for more than 24 hours, the Chief Executive must send notice of the adjourned meeting to each member of the Council or body concerned. The notice must specify the business to be dealt with.

MISCELLANEOUS MATTERS

STANDING ORDER No.41 Appointment of Representatives on Outside Bodies

41. The Council will, after considering recommendations from the Leader of the Council and the Leaders of the other political groups on the Council, appoint or nominate representatives of the Council to serve on other Authorities or bodies, unless the functions of the Authority or body concerned relate to a service for which a Board, Committee, Panel or Forum is solely responsible.

STANDING ORDER No. 42 Restrictions on Inspections and Issuing Orders

42. (1) Unless specifically authorised by or on behalf of the Council, a member must not claim any rights to enter or inspect property where the Council has a right to enter or inspect.
- (2) A member must not issue any order relating to work being done by or for the Council.

STANDING ORDER No.43 Suspension and Alteration of Standing Orders

Suspension

43. (1) The Council's Standing Orders (whether relating to procedural or contract matters) may be suspended for any business at the meeting where its suspension is moved, provided that such suspension complies with the principles of Article 15.01(b) of the Constitution.
- (2) At a meeting of the Council, a motion under paragraph (1) cannot be moved without notice (i.e. under Standing Order No. 9) unless at least half the members of the Council are present.
- (3) In relation to those Standing Orders which, by virtue of Standing Order No. 32, apply to meetings of Boards, Committees, Panels and Forums, a motion under paragraph (1) cannot be moved without notice unless at least half of the members of the Board, Committee, Panel or Forum (as the case may be) are present.
- (4) Where a Board, Committee, Panel or Forum recommends the suspension of a Standing Order in its minutes to the Council, that Standing Order will become suspended on the adoption of the recommendation.

Alteration

- (5) Any motion to add to, vary or revoke Standing Orders (whether relating to procedural or contract matters) must, when proposed and seconded, be adjourned without discussion to the next ordinary meeting of the Executive Board for consideration and report to the Council.

STANDING ORDER No.44
Standing Orders to be Given
to Members

44. Each member will be supplied with a copy of Procedural and Contract Standing Orders.

MISCELLANEOUS MATTERS

STANDING ORDER No 45
Interpretation

45. (1) In these Procedural Standing Orders: -

“Area Co-ordinator” means the Chairman of an Area Forum

“Body” means a Board, Committee, Panel or Area Forum.

“Chairman” means the person who presides at a meeting of a body (he or she may also, in relevant circumstances, hold another office such as Leader of the Council, a Deputy Leader, a Portfolio Holder, a Convenor of an Overview and Scrutiny Board or an Area Co-ordinator)

“Chief Executive” means the Chief Executive for the time being of the Council and, where appropriate, includes the Chief Executive's representative at a meeting.

“Convenor” means the Chairman of an Overview and Scrutiny Board

“Deputy Convenor” means the Deputy Chairman of an Overview and Scrutiny Board

“Deputy Leader” means the Chairman of the Resources Board, the Chairman of the Community and Environment Board and the Chairman of the Regulatory Board

“Leader of the Council” means the Chairman of the Executive Board.

“Minutes” in relation to a Board, Committee, Panel or Forum include any report made by that body to the Council.

“Policy Board” means the Executive Board, the Resources Board or the Community and Environment Board.

“Political group” means a political group constituted under Schedule 1 to the Local Government and Housing Act 1989 and regulations made under that Act.

“Portfolio Holder” means a Councillor appointed, normally at the Annual Meeting of the Council, to act as the Council's Lead Member and spokesperson on a key cross-cutting theme or for a specific function, who will also ensure that his/her designated area of responsibility (portfolio) is considered and taken into account during the decision making process at meetings of the various bodies of the Council.

“Senior Officer” means a Director, Assistant Director, the Assistant Chief Executive or Principal Officer on at least the Principal Officers' salary grade.

“The 1972 Act” means the Local Government Act, 1972

“Vice-Chairman” means the person who presides at a meeting of a body in the absence of the Chairman

- (2) The ruling of the person chairing a meeting shall not be challenged at the meeting in relation to how these Standing Orders are interpreted or applied, or on Council proceedings.