

## Part 4 A

# Meeting Procedure Rules

## ***Part 4A - Meeting Procedure Rules***

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## ***Part 4A - Meeting Procedure Rules***

### **STANDING ORDER 1** ***Meetings of the County Council***

- (1) The annual meeting of the Council shall be held:-
  - (a) in the year of the ordinary election of councillors to the Council, on the second Wednesday after the day of election;
  - (b) in any other year, on any Wednesday in May.
- (2) In addition to the annual meeting of the Council and any meetings convened by the Chairman or by members of the Council, meetings for the transaction of general business shall be held on such days as may be determined by the Council at its annual meeting on the recommendation of the Executive provided that a date so determined may be varied by the Executive.\*
- (3) In these Standing Orders "ordinary meeting" means a meeting described in paragraph (1) or (2) above other than a meeting convened by the Chairman or by members of the Council.
- (4) Unless the Council otherwise determines, all meetings of the Council shall be held at 2.00 p.m. other than a meeting on a Saturday which shall be held at 10.00 a.m. provided that the time may be varied by the Chairman following consultation with Group Leaders.

*[\*Under paragraph 3 of Schedule 12 of the Local Government Act 1972 an extraordinary meeting of the Council may be called at any time by the Chairman of the Council. There is also provision for such a meeting to be requisitioned by any five members of the Council.]*

### **STANDING ORDER 2** ***Chairman of the meeting***

Any power or duty of the Chairman in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

**STANDING ORDER 3**  
***Quorum***

If during any meeting of the Council the Chairman after counting the number of members present declares that there is not a quorum\* present the meeting shall stand adjourned. The consideration of any business not transacted shall be adjourned to a time fixed by the Chairman at the time the meeting is adjourned, or, if he or she does not fix a time, to the next ordinary meeting of the Council.

*[\*Note: The quorum prescribed by statute for meetings of the County Council is one quarter of the whole number of members.]*

**STANDING ORDER 4**  
***Order of business***

Except as otherwise provided by Standing Order 5 the order of business at ordinary meetings of the Council shall be:-

- (1) to choose a person to preside if the Chairman and Vice-Chairman be absent;
- (2) to deal with any business required by statute to be done before any other business;
- (3) Chairman's announcements;
- (4) to receive the report of the Returning Officer;
- (5) to confirm the minutes of the last meeting of the Council;
- (6) to deal with any business expressly required by statute to be done;
- (7) to answer questions asked under Standing Order 7 (1), (2) and (5);
- (8) to dispose of business (if any) remaining from the last meeting;
- (9) to receive Position Statements under Standing Order 8;
- (10) to consider reports of the Executive, the Scrutiny Commission (the "Commission"), the Scrutiny Committees, the Development Control and Regulatory Board, the Constitution Committee, the Corporate Governance Committee and the Local Pension Committee;
- (11) to appoint the Leader and such Cabinet Support Members as the Council considers appropriate;

- (12) to determine the allocation of committee places to political groups to ensure so far as is practicable that the rules relating to political balance are met;
- (13) to appoint members of the Commission, boards and committees;
- (14) to consider motions in the order in which notice has been received;
- (15) other business, if any, specified in the summons.

### **STANDING ORDER 5** ***Variation of order of business***

Business falling under items (1), (2), (4), (5) or (6) of Standing Order 4 shall not be displaced, but subject thereto the foregoing order of business may be varied:-

- (1) by the Chairman at his or her discretion; or
- (2) by a resolution passed at that meeting. A motion to vary the order of business shall be moved and seconded formally and put without discussion.

### **STANDING ORDER 6** ***Minutes of the Council***

- (1) At a meeting of the Council at which minutes of a previous meeting are submitted for approval as a correct record, the Chairman shall move that those minutes be so approved.
- (2) No motion or discussion shall take place upon the minutes, except upon their accuracy, and any matter concerning their accuracy shall be raised by amendment.
- (3) If no such matter is raised, or if it is raised then as soon as it has been disposed of, the Chairman shall sign the minutes.
- (4) Where in relation to any meeting of the Council the next such meeting is a meeting called under paragraph 3 (extraordinary meetings) of Schedule 12 to the Local Government Act 1972, the next following meeting of the Council (being a meeting called otherwise than under that paragraph) shall be treated as a suitable meeting for the purposes of paragraphs 41(1) and (2) (signing of minutes) of that Schedule.

*[Note: paragraph (4) means that there is no requirement to sign the minutes of the previous meeting at an extraordinary meeting - this wording is required by the Local Authorities (Standing Orders) Regulations 1993]*

**STANDING ORDER 7**  
***Questions from Elected Members***

- (1) At a meeting of the Council a member may ask the Chairman of the Council, the Leader, any designated member of the Executive, or the Chairman of the Commission, a board or a committee, any question relating to the business of the Council or of the Executive or which relates to a matter affecting the County. The term "designated member" means any member of the Executive which the Executive from time to time may specify as such for the purposes of this Standing Order.
- (2) At ordinary meetings of the Commission or any board or committee, any member of the Council may ask the chairman of the body concerned any question on any matter in relation to which the body concerned has delegated or advisory functions. The time for dealing with such questions shall immediately follow the item on the agenda for answering questions from electors. This paragraph shall not apply to meetings of the Executive.
- (3) The text of any question shall be submitted in writing to the Chief Executive not less than five clear days before the meeting at which the member proposes to ask the question subject to paragraph (4) of this Standing Order (urgent business).
- (4) The chairman of the meeting may allow the asking of a question which has not been submitted as required by paragraph (3) above, if he or she considers that it relates to urgent business. The text of any such question shall, if possible, be delivered to the Chief Executive not later than 10.00 a.m. on the day before the meeting at which the question is to be asked.
- (5) After a question has been replied to, the member who asked it may, if they are present at the meeting, ask one supplementary question for the purpose of clarifying the reply which has been given. A member asking such a supplementary question shall confine himself or herself to the substance of the original question and shall not introduce any new matter which did not fall within the scope of his or her original question. In paragraphs (7) - (10) of this Standing Order, the word "question" shall include such a supplementary question.
- (6) Every question shall be put and answered without discussion.
- (7) No resolution shall be moved with reference to any question or reply to a question.
- (8) If the chairman of the meeting is of the opinion that the question is out of order, or of a personal character, or in the interests of the Council it is undesirable, he or she shall so inform the member and shall not allow the question to be put.

- (9) Questions asked in pursuance of the above paragraphs of this Standing Order shall be recorded in the minutes of the meeting, and the Chief Executive shall supply the questioner with a copy of the replies thereto within seven working days after the meeting.
- (10) In addition to the right to put questions contained in the foregoing paragraphs, at a meeting of the Council any member may without notice ask the Leader, or the Chairman of the Commission, or the chairman of a board or a committee any question upon an item of the report of the body concerned then before the Council, provided that the question is put before the Council's consideration of that item is concluded.

### **STANDING ORDER 8**

#### ***Position Statements***

- (1) One or more Position Statements may be presented to the Council by the Leader and any member of the Executive in such form as the person presenting the Position Statement may determine.
- (2) A Position Statement may give rise to an informal discussion by the Council provided that, subject to paragraph (3), no motion or amendment shall be moved during that discussion.
- (3) At the conclusion of any discussion of a Position Statement, a formal motion may be moved to the effect that a particular issue relevant to the Position Statement be referred to the Executive, the Commission, a board or a committee as the case may be, for consideration. Such a motion shall be moved and seconded formally and shall be put without discussion.
- (4) The discussion of any Position Statement shall not exceed twenty minutes but the Chairman, at his or her discretion, may permit an extension of such length as he or she considers appropriate.
- (5) A Position Statement may be presented to the Council by the Chairman of the Scrutiny Commission in such form as he or she may determine. The provisions of paragraphs (2) to (4) shall apply to such a Position Statement.

**STANDING ORDER 9**  
***Procedure relating to reports to Council***

- (1) A report of the Executive, the Commission, a board or a committee to the Council shall be signed by the chairman of the body concerned unless he or she is unwilling, in which case the deputy chairman of the body shall sign the report, unless he or she also is unwilling.
- (2) At the appropriate place in the order of business of the Council each report shall be taken as read and the member who has signed the report (or in the case of a report of the Cabinet, the Leader or his or her nominee) shall propose any necessary motions for securing the approval by the Council of the recommendations in the report unless at his or her request or with his or her concurrence the Council give leave for recommendations to be amended or for the report to be withdrawn.
- (3) Except in the case of a report of the Cabinet, the motions referred to in the previous paragraph of this Standing Order shall, in the absence of the member who signed the report, be proposed by some other member of the reporting body designated by the Chairman of the Council, who shall give preference to the deputy chairman of the body concerned when the member absent is the chairman of the body. In the case of a report of the Cabinet, a motion may be moved by any member of that body in the absence of, or at the request of, the Leader.
- (4) Two or more bodies may submit a joint report and in such case the motions referred to in paragraph (2) of this Standing Order shall be proposed by the member whose signature to the report appears first.
- (5) The relevant group spokesman for the body concerned may, within three days of a meeting, give notice in writing to the Chief Executive requiring him or her to include in a report of that meeting (for consideration by the Council under this Standing Order or by the Executive or any parent body) a fair reflection of the views of that group in that report.

*[Note: Rule 9(b) of the Overview and Scrutiny Procedure Rules in Part 4E of the Constitution provides that where an overview and scrutiny committee cannot agree on a final single report to the Council, then up to one minority report may be prepared and submitted with the majority report.]*

**STANDING ORDER 10**  
***Notices of motion***

- (1) Notice of every motion (other than a motion which under Standing Order 11 may be moved without notice) shall be in writing signed by the member or members of the Council giving the notice and delivered at



least eight clear days before the next meeting of the Council to the Chief Executive, by whom it shall be dated, numbered in the order in which it is received, and shall be available for inspection by every member of the Council.

- (2) There shall be inserted in the summons for every meeting of the Council all notices of motion duly given in the order in which they have been received, unless the member giving such a notice has, when giving it, intimated in writing that he or she proposes to move it at some later meeting or has withdrawn it in writing.
- (3) If a motion of which notice has been given and not withdrawn be not moved by the member who gave notice of it, it may be moved by another member of the Council and if not so moved it shall, unless postponed by consent of the Council, be treated as abandoned and shall not be moved without fresh notice.
- (4) Any notice of motion which would have the effect of materially increasing the expenditure or reducing the revenue of the Council, otherwise than in the form of a proposal that the matter be referred to the Executive for consideration and report, shall not be deemed to have been duly given for the purposes of this Standing Order.
- (5) Any notice of motion which would have the effect of reviewing or rescinding a decision of the Executive taken under delegated powers, otherwise than in the form of a proposal that the matter be referred to the Executive for consideration and report, shall not be deemed to have been duly given for the purposes of this Standing Order.

*[Note: In Standing Order 10(5) the phrase "taken under delegated powers" is deemed to cover those matters which are the responsibility of the Executive not only as a matter of local choice but also as a consequence of the operation of the Local Government Act 2000 and any statutory provisions made under that Act.]*

- (6) Any notice of motion which would have similar effect to a notice of motion which has already been lodged shall not be deemed to have been duly given for the purpose of this Standing Order, on the basis that any differences can be addressed at the meeting through an amendment to the accepted motion.

### **STANDING ORDER 11**

#### ***Motions and amendments which may be moved without notice***

Motions and amendments relating to the following matters may be moved without notice:-

- (1) appointment of a chairman of the meeting at which the motion is made;

- (2) the approval of accuracy of the minutes;
- (3) that an item of business specified in the summons have precedence;
- (4) appointment of a body or the members thereof, occasioned by an item mentioned in the summons to the meeting;
- (5) adoption of reports and recommendations of the Executive, the Commission, a board or committee and any consequent resolution;
- (6) authorising the sealing of documents;
- (7) giving consent of the Council where the consent of the Council is required by these Standing Orders;
- (8) any of the motions listed in Standing Order 13 whether or not moved whilst another motion is under debate.

#### **STANDING ORDER 12** ***Notice of Amendments***

- (1) Notice of the intention to move an amendment to a motion included on the agenda for a meeting in accordance with Standing Order 10 shall be submitted in writing to the Chief Executive at least two days before the meeting.
- (2) Notice of the intention to move an amendment to a motion to secure the approval by Council of the recommendations in a report of the Executive, the Commission, a board or committee shall be submitted in writing to the Chief Executive at least two days before the meeting.
- (3) Details of the notices referred to in (1) and (2) above shall immediately upon receipt be shared with the Leader of the Council and the Opposition Group Leaders.
- (4) Details of the notices referred to in (1) and (2) above shall be disclosed to all members of the Council at 9.00am on the day before the meeting.
- (5) The Chairman of the Council, or the Vice Chairman in their absence, may use their discretion to waive the requirement to comply with the provisions of this Standing Order. Unless there are exceptional circumstances, such requests should be made before the meeting.
- (6) Where a member who has proposed an amendment is unable to attend the meeting, they may nominate another member to move the amendment.

**STANDING ORDER 13*****Motions which may be moved during debate***

When a motion is under debate no other motion shall be moved except the following:-

- (1) to amend the motion;
- (2) to adjourn the meeting;
- (3) to adjourn the debate;
- (4) to proceed to the next business;
- (5) that the proposition under discussion be put;
- (6) that a member be not further heard;
- (7) by the Chairman under Standing Order 19(9) "That the member named do leave the meeting";
- (8) to exclude the public;
- (9) that the subject of debate be referred to the Executive, the Scrutiny Commission a board or committee;
- (10) to extend the time limit for speeches;
- (11) that Standing Orders be suspended under Standing Order 38;
- (12) subject to Standing Order 9(5), that leave be given to alter or withdraw a motion, amendment or report.

**STANDING ORDER 14*****Rescissions***

- (1) No motion to rescind any resolution passed within the preceding six months and no motion to the same effect as one which has been rejected within that period shall be proposed unless at a meeting subsequent to the meeting at which such resolution or rejection was agreed a member moves for consent to propose his or her motion and obtains a majority of those members present at the meeting, in which case notice of the motion shall be inserted in the summons for the next ordinary meeting of the Council.
- (2) This Standing Order shall not apply to a motion moved whilst there is before the Council a recommendation of the Executive, the Commission, a board or committee relating to the matter.

**STANDING ORDER 15**  
***Amendments to motions***

- (1) Subject to Standing Order 10(5), an amendment shall be relevant to the motion and shall be either:-

- (a) to refer a subject of debate to the Executive, the Commission, a board or a committee for consideration or re-consideration;
- (b) to leave out words;
- (c) to leave out words and insert or add others;
- (d) to insert or add words;

but such omission, insertion or addition of words shall not only have the effect of negating a motion before the Council.

- (2) Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of;

Provided that the Chairman may permit two or more amendments to be discussed (but not voted on) together if he or she considers that this course would facilitate the proper conduct of the Council's business.

- (3) If an amendment be lost, other amendments may be moved on the original motion. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

**STANDING ORDER 16**  
***Alterations or withdrawal of motion or amendment***

- (1) Subject to Standing Order 10 (5), a proposer of a motion may, with the concurrence of the seconder and the consent of the Council, alter the motion if the alteration is such that it could properly be effected by an amendment of the motion. A proposer of an amendment may, with the like concurrence and consent, alter the amendment if the amendment as altered could properly have been moved in that form as an amendment. The altered motion or amendment shall if required by the Chairman be reduced into writing and handed to him or her before the consent of the Council to the alteration is sought.
- (2) A proposer of a motion or of an amendment may, with the concurrence of the seconder and the consent of the Council, withdraw the motion or amendment which he or she has proposed, and no member shall speak upon it after the proposer has thus asked permission for its withdrawal, unless such permission shall have been refused.

- (3) The giving or refusal of the consent of the Council to the alteration or withdrawal of a motion or amendment shall be signified without discussion.

**STANDING ORDER 17**  
***Motions and amendments generally***

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless notice has already been given in accordance with Standing Orders 10 and 12 it shall, if required by the Chairman, be put into writing and handed to the Chairman before it is further discussed or put to the meeting.
- (2) A member may not propose or second a motion or amendment on which he or she is disqualified from voting.

**STANDING ORDER 18**  
***Motions affecting persons employed by the Council***

If any question arises at a meeting of the Council, the Executive, the Commission, a board or a committee as to the appointment, promotion, dismissal, salary, pension, conditions of service or the conduct of any person employed by the Council, such question shall not be the subject of discussion until the body concerned has decided whether or not the power of exclusion of the public shall be exercised.

**STANDING ORDER 19**  
***Length of speeches and conduct of members***

- (1) A member shall direct his or her speech to the question under discussion (i.e. it shall be directly relevant to the matter under discussion) or to a point of order or a point of personal explanation or information for the meeting, shall not impute motives or use offensive expressions to or about any other member and shall act in accordance with the role of a County Councillor as set out in Article 2.03 of the Constitution.
- (2) Except in the case of a speech given by a principal speaker which shall not exceed 10 minutes, no speech shall exceed 5 minutes without the consent of the Council, and upon a motion for extension of these time limits no discussion shall be allowed. For the purposes of this Standing Order "principal speaker" shall be the member who moves the adoption of a report or of an item of a report of the Executive, the Commission, a board or a committee or who is designated as being an "appropriate spokesman" of the body concerned and is speaking on such a motion or any amendment to it or the member who moves a motion under Standing Order 10.

- (3) Any extension of time granted to speakers by the Council in pursuance of this Standing Order shall not exceed 10 minutes in the case of a principal speaker or 5 minutes in any other case but the Chairman, at his or her discretion, may permit a further extension if he or she considers that this would facilitate the conduct of the Council's business.
- (4) A member when speaking shall stand and address the Chairman.
- (5) If two or more members rise, the Chairman shall call on one to speak, the other or others shall then sit.
- (6) While a member is speaking the other members shall remain seated, unless rising to a point of order or in personal explanation.
- (7) Whenever the Chairman rises during a debate a member then standing shall resume his or her seat and the Council shall be silent.
- (8) If any member in the opinion of the Chairman signified to the Council, misconduct himself or herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Council, or by tedious repetition or unbecoming language in his or her speech, the Chairman or any other member may move "That the member named be not further heard", and such motion if seconded shall be put and determined without discussion.
- (9) If the member named continues his or her misconduct after a motion under the last previous paragraph has been carried, the Chairman shall either:-
  - (a) move "That the member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion); or
  - (b) adjourn the meeting of the Council for such period as he or she in his or her discretion shall consider expedient.

*[Note: for the purposes of paragraph (2) above, "appropriate spokesman" has been defined by the Council as follows:*

**reporting body: "appropriate spokesman"**

Executive: *Leader of the Opposition or his or her nominee*

Scrutiny Commission: *Leader or his or her nominee*

Scrutiny Committees: *spokesmen of the two Groups to which the chairman of the Scrutiny Committee concerned does not belong*

Employment Committee: *spokesmen of the two Groups to which the chairman of the Committee does not belong*

Development Control & Regulatory Board:	<i>spokesmen of the two Groups to which the chairman of the Board does not belong</i>
Constitution Committee:	<i>spokesmen of the two Groups to which the chairman of the Committee does not belong</i>
Local Pension Committee:	<i>spokesmen of the two Groups to which the chairman of the Committee does not belong]</i>
Corporate Governance Committee	<i>Spokesmen of the two Groups to which the Chairman of the Committee does not belong</i>

**STANDING ORDER 20*****Seconder's speech***

A member when seconding a motion or amendment may, if he or she then declares his or her intention to do so, reserve his or her speech until a later period of the debate.

**STANDING ORDER 21*****When a member may speak again***

- (1) A member who has spoken on any motion shall not speak again whilst it is the subject of debate except:-
  - (a) in exercise of the right of reply given by Standing Order 22;
  - (b) on a point of order or by way of personal explanation or point for information for the Council in accordance with Standing Order 23;
  - (c) to alter or withdraw a motion or amendment in accordance with Standing Order 16;
  - (d) to propose or second any of the motions referred to in paragraphs (2) to (12) of Standing Order 13;
  - (e) to second or to speak once on an amendment moved by another member;
  - (f) if the motion has been amended since he or she last spoke, to move a further amendment.
- (2) A member whose first speech was on an amendment moved by another member, may, after that amendment has been disposed of, speak again on the main issue or on any further amendment.

**STANDING ORDER 22*****Right of reply***

- (1) The proposer of a motion shall have the right to reply to the debate:-
  - (a) at the close of the debate on the motion;
  - (b) at the close of the debate on an amendment to the motion;

- (c) before a motion to proceed to next business or that the Council adjourn or a motion or amendment to refer the subject of debate to a Committee is put;
  - (d) after the closure is carried.
- (2) The proposer of an amendment shall not have the right of reply to either the debate on the amendment or to the debate on a substantive motion formed by the carrying of the amendment.
  - (3) A member exercising a right of reply shall strictly confine himself or herself to answering previous speakers to whom he or she has not already had the opportunity of replying and shall not introduce any new matter.
  - (4) After every reply to which this Standing Order applies a decision shall forthwith be taken upon the motion or amendment then under discussion.

**STANDING ORDER 23 (A)*****Points of Order***

- (1) A member may rise on a point of order and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or statutory provision and the way in which he or she considers it has been broken.
- (2) The ruling of the Chairman on a point of order shall not be open to discussion.

**STANDING ORDER 23 (B)****Points of Personal Explanation or Information for the meeting**

- (1) A member may rise on a point of personal explanation or point for information for the Council and shall be heard forthwith.
- (2) A point of personal explanation shall be confined to some material part of the former speech by him or her which may have been misunderstood in the present debate.
- (3) A point of information for the meeting shall be confined to correcting a speaker developing their argument on incorrect facts or figures so as to avoid misleading the meeting.
- (4) The ruling of the Chairman on a point of personal explanation or point of information for the Council shall not be open for discussion.



**STANDING ORDER 24**  
***Next business etc***

- (1) A member who seeks to avoid a decision being taken on a matter under discussion may, at the conclusion of a speech of another member, unless the Chairman considers that the matter has been insufficiently discussed, move "that the Council proceed to the next business" or, if there is no other business to be transacted, "that the Council adjourn".
- (2) The proposer of such a motion may speak thereon for five minutes but the seconding of the motion shall be formal and without comment and there shall be no debate on the motion.
- (3) On the seconding of the motion, the Chairman shall first give the mover of the original motion an opportunity to speak on it for not more than 5 minutes and then put to the vote the motion to proceed to the next business or to adjourn the Council.
- (4) If that motion is carried, the original motion shall be considered as withdrawn.

**STANDING ORDER 25**  
***Adjournment of debate***

- (1) A member who seeks to interrupt a debate so that it may be continued at a later hour or on another occasion may, at the conclusion of the speech of another member, move that the debate be adjourned to that hour or occasion.
- (2) If the member does not specify an hour or occasion, the motion shall be deemed to intend that the debate shall be resumed at the next ordinary meeting of the Council.
- (3) The proposer of such a motion may speak thereon for five minutes but the seconding of the motion shall be formal and without comment and there shall be no debate on the motion except that the mover of the original motion may speak on it for not more than five minutes.
- (4) On the resumption after adjournment of an interrupted debate, the Council shall proceed to the further consideration of the adjourned business as though the meeting had been continuous for the purposes of these Standing Orders.

**STANDING ORDER 26*****Closure***

- (1) A member may at the conclusion of the speech of another member move "that the proposition under discussion be now put" (which is in these Standing Orders referred to as "the closure").
- (2) The proposal and seconding of the closure shall be formal and without comment and there shall be no debate on it. The closure shall be put forthwith to the vote unless it appears to the Chairman that the proposition to which it is sought to apply the closure has not been sufficiently discussed.
- (3) If the closure is carried, the motion or amendment which is the subject of the interrupted debate shall be put without further discussion, subject to the mover of the original motion, first having the right of reply given by Standing Order 22.

**STANDING ORDER 27*****Appointments by the Council***

- (1) Every candidate nominated to represent the Council in any capacity or for any position to be filled by the Council shall be openly proposed and seconded;
- (2) At the close of nominations the Chairman shall state the names of the candidates who have been duly proposed and seconded and the number of vacancies to be filled if the number is limited;
- (3) If the number of nominations does not exceed the number of vacancies or if the number of vacancies is not limited the Chairman shall forthwith put the appointment of the duly nominated candidates collectively as a substantive motion upon which no amendment may be moved;
- (4) If the number of nominations exceeds the number of vacancies there shall be a secret ballot of the members present at the meeting in which each member of the Council may vote for as many candidates as there are vacancies to be filled;
- (5) Any ballot shall be conducted by the Chief Executive whose return shall be final and conclusive;

Provided that no candidate shall be appointed unless the number of votes cast in his or her favour exceeds half the number of persons voting. If in any ballot no candidate receives the number of votes entitling him or her to be appointed, the names of those who receive no votes and the name of the one who receives the least number of votes shall be struck off the list and a fresh ballot be taken, and so on, until all the vacancies are filled.

**STANDING ORDER 28**  
***Appointments at the Annual Meeting of the Council***

At the Annual Meeting of the Council the procedure for the appointment of the Leader, Cabinet Support Members and those members of the Commission and of the boards and committees who are to be appointed by the Council shall be as set out below, and Standing Orders 10, 11, 12 and 27 shall not apply for the purpose of such appointments:-

- (a) The Chairman of the Council shall invite proposals, each of which shall be in the form of a list of candidates nominated for all the vacancies to be filled; it shall not be in order to propose a list of nominations which does not deal with all the appointments which are to be made at the meeting.
- (b) No amendment may be moved in respect of any list of nominations.
- (c) The Chairman shall then put to the Council for decision the lists of nominations proposed and seconded. Each member shall have one vote only to be cast in favour of one list of nominations.
- (d) If there is more than one list of nominations there shall be a series of votes. After each vote, the list which has attracted the least number of votes shall be struck out and a further vote taken, and so on until one list receives a majority of the members of the Council present and voting.
- (e) The Chairman shall declare appointed those members named in the list of nominations which attract the majority of votes.

**STANDING ORDER 29**  
***Voting***

- (1) Every proposition shall, unless otherwise required by these Standing Orders or Statute, be determined by show of hands or, at the discretion of the Chairman, by voices.
- (2) If an automatic system of recording votes is in operation, the Chairman shall have power to order votes to be given and counted in accordance with the system.
- (3) In taking the votes on any proposition, those members only shall be entitled to vote who are present in the Council Chamber when the proposition is put from the Chair.
- (4) A vote on any proposition at a budget meeting which relates to the calculation of or the issuing of the precept shall be recorded in the minutes of the meeting so as to show whether each member present gave his or her vote for or against the proposition or abstained from voting.

- (5) After a proposition is put from the Chair but before the vote is taken, any five members rising in their places may require that the voting shall be recorded in the minutes of the meeting so as to show whether each member present gave his or her vote for or against that proposition or abstained from voting.
- (7) Where immediately after a vote is taken any member so requires, there shall be recorded in the minutes of the proceedings of that meeting whether that person cast his or her vote for the question or against the question or whether he or she abstained from voting.

### **STANDING ORDER 30** ***General disturbances***

- (1) If a member of the public interrupts the proceedings at any meeting the Chairman shall warn him or her. If he or she continues the interruption the Chairman shall order his or her removal from the room. In case of general disturbance in any part of the room open to the public the Chairman shall order that part to be cleared.
- (2) If, in the opinion of the Chairman, misconduct or obstruction renders the due and orderly dispatch of business impossible, the Chairman, in addition to any other power vested in him or her, may without the question being put suspend the meeting for a period not exceeding 30 minutes.

### **STANDING ORDER 31** ***Interests in contracts and other matters***

If any member of the Council has any interest under the County Council's Code of Conduct in any contract, proposed contract, or other matter, that member shall declare that interest and withdraw from the meeting while the contract, proposed contract, or other matter, is under consideration by the Council unless the disability to discuss that matter imposed upon him or her by the Code has been removed by the Corporate Governance Committee.

*[Note: The County Council is required by law to maintain a register of certain types of interests. All elected members must give notice to the Monitoring Officer of interests covered within 28 days of being elected. Members are also required to ensure that interests are declared at meetings in accordance with legislation and Standing Order 31 above and that any disclosable interests declared at meetings which are not in the Authority's register are notified to the monitoring officer within 28 days of disclosure. By law the Register is open to public inspection. As a matter of good practice the County Council has determined that members should be required to keep the register up to date by notifying the monitoring officer of any changes within 28 days of their occurrence.]*

**STANDING ORDER 32*****Chairmanship of the Executive, the Commission, boards and committees***

- (1) The Leader shall be appointed by the Council and shall hold office subject to Article 7 of the Constitution. The Leader and Deputy Leader (where appointed) shall *ex-officio* respectively act as the chairman and deputy chairman of the Executive.
- (2) The Leader of the numerically largest opposition party shall be the Leader of the Opposition and shall *ex-officio* act as the Chairman of the Commission. The deputy chairman of the Commission shall be appointed by the Commission from amongst its members.
- (3) Except where otherwise agreed by the Council, each board or committee shall appoint its chairman and deputy chairman from amongst its members.
- (4) The deputy chairman of the Commission and the chairman and deputy chairman of a board or committee shall hold office until:
  - (a) he or she resigns;
  - (b) he or she is suspended by the Group (although he or she may resume office at the end of the period of suspension);
  - (c) he or she is no longer a county councillor;
  - (d) he or she is removed from office by the appointing body; or
  - (e) the meeting of the appointing body next following the Annual Meeting of the Council after his or her appointment.
- (5) The appointment of the deputy chairman of the Commission and the chairman and deputy chairman of a board or committee shall be conducted in the same way as an appointment is required to be made by the Council under Standing Order 27.
- (6) Subject to paragraph (8) of this Standing Order the deputy chairman of the Executive, Commission, board or committee shall preside at all meetings of the body concerned at which he or she is present in the absence of the chairman.
- (7) If both the chairman and deputy chairman of the Executive, Commission, board or committee are absent from a meeting, the members present shall choose one of their number who is a member of the Council to preside over the meeting subject to paragraph (8) of this Standing Order.
- (8) If the chairman of the Executive, Commission, board or committee arrives at a meeting of the body concerned or if the deputy chairman

arrives at such a meeting from which the chairman is absent after the time for which the meeting has been summoned he or she shall preside over the meeting after any question under discussion on his or her arrival has been disposed of but not before then.

### **STANDING ORDER 33**

#### ***Meetings of the Executive, the Commission, boards and committees***

- (1) The Leader as chairman of the Executive, the Leader of the Opposition as Chairman of the Commission, or the chairman of a board or a committee or the Chairman of the Council may cause a special meeting of the body concerned to be called at any time. In the absence of the chairman of the body concerned the deputy chairman may exercise the powers conferred on the chairman by this Standing Order.
- (2) A special meeting of the Executive, the Commission, a board or a committee or subcommittee shall be called on the request of at least one quarter of the whole number of members of the body concerned by notice in writing signed by them and given to the Chief Executive and specifying the business for which the meeting is to be called.
- (3) In relation to meetings of the Scrutiny Commission and Scrutiny Committees, a political group may give notice in writing to the Chief Executive delivered at least eight clear days before the next meeting that they wish the item of business specified in the notice to be included in the agenda for consideration at that meeting. Such notice shall include an explanation of the reasons underlying the request and the purpose to be achieved.
- (4) In relation to meetings of the Scrutiny Commission and Scrutiny Committees, the Commission or Committee may, by resolution, require a relevant member of the Executive or chief officer to attend a meeting to provide information or answer questions.

### **STANDING ORDER 34**

#### ***Proceedings of the Executive, the Commission, boards or committees***

- (1) The quorum of the Executive, Commission, board or committee, unless a special quorum is otherwise prescribed, shall be at least one quarter of the whole number of the body concerned, provided that in no case shall a quorum be less than three members.
- (2) Any Council member may attend as an observer at meetings of the Commission, boards or committees (except those meetings which the County Council may from time to time determine for the purposes of this Standing Order) to which he or she has not been appointed as a member, including meetings or items of business from which the public has been excluded. If given permission by the chairman of the

meeting, a member attending as an observer may speak (but not vote) on any matter.

- (3) Any Council member may attend as an observer at decision-making meetings of the Executive, including meetings or items of business from which the public has been excluded. If given permission by the chairman of the meeting, a member attending as an observer may speak (but not vote) on any matter.
- (4) Subject to the provisions of Section 100 of the Local Government Act 1972, all reports and all documents marked as "confidential" or "not for publication" shall be treated as confidential until they become public in the ordinary course of the Council's business.
- (5) No act of a subcommittee shall have effect until approved by the appointing board or committee except to the extent that the board or committee has itself power to act without the approval of the Council and the power so to act has been conferred upon the subcommittee.
- (6) In addition to those Standing Orders which expressly relate to the Executive, the Commission, boards or committees, Standing Orders 5, 7, 15 to 20 inclusive, 22 to 27 inclusive and 29 to 31 inclusive, shall apply with any necessary modification to the Executive, Commission, boards or committees.

### **STANDING ORDER 35**

#### ***Questions from electors at the Commission, boards or committees***

- (1) At any ordinary meeting of the Commission, a board or committee to which the press and public are admitted, any elector registered within the County may, subject to this Standing Order, ask the chairman of the body concerned any question on any matter in relation to which the body concerned has powers and duties. This Standing Order shall not apply to meetings of the Executive.
- (2) Any question shall be submitted in writing to the Chief Executive not less than five clear days before the meeting at which the elector proposes to ask the question.
- (3) The Chief Executive may decline to accept a proposed question if in his or her opinion it is:
  - (a) not relevant to the functions of the body concerned;
  - (b) is otherwise offensive, frivolous or defamatory;
  - (c) is substantially similar to a question which has been put at a meeting in the past six months; or
  - (d) requires the disclosure of confidential or exempt information.

- (4) The period allowed for the putting and answering of questions shall be ten minutes, commencing immediately following the confirmation of the minutes of the previous meeting, but it shall be open to any member of the body concerned to move an extension of this period should there be questions remaining unanswered. Such a motion shall be moved and seconded formally and be put without discussion.
- (5) Questions shall be put and answered in the order in which they were received and accepted by the Chief Executive.
- (6) After a question has been replied to, the elector who asked it may, if they are present at the meeting, ask one supplementary question for the purpose of clarifying the reply which has been given. An elector asking such a supplementary question shall confine himself or herself to the substance of the original question, and shall not introduce any new matter which did not fall within the scope of his or her original question. If the chairman of the meeting is of the opinion that the supplementary question is out of order, or of a personal character, or in the interests of the Council it is undesirable, he or she shall so inform the elector and shall not allow the question to be put. In paragraph (7) of this Standing Order, the word "question" shall include such a supplementary question.
- (7) There shall be no discussion on the question or the answer, but a member of the body concerned may propose that the subject matter of the question be placed on the agenda of the next ordinary meeting of the body concerned. Such a motion shall be moved and seconded formally and be put without discussion.

### **STANDING ORDER 36**

#### ***Petitions at the Commission, boards or committees***

*[Note: This Standing Order should be considered alongside the Petitions Scheme set out in Part 10 of the Council's Constitution.]*

- (1) Petitions may be presented at meetings of the Commission, a board or committee in accordance with the conditions set out in the Petitions Scheme at Part 10 of this Constitution. The Commission, board or committee shall receive only such petitions as have been lodged with the Chief Executive eight clear days before the meeting and are presented by a person who resides, studies or works in the County and/or is a recipient of County Council services and is associated with the petition. Petitions can also be presented by an elected member on behalf of such a person or can be considered in their absence. This Standing Order shall not apply to meetings of the Council or the Executive, subject to paragraphs (5) and (6) below.
- (2) Every petition shall be couched in proper language and be relevant to some question over which the Council or the Commission or board or



committee concerned have authority, or which otherwise affects the County and shall involve a call for action. Signatories should record their name, address (and email address for electronic petitions) and date they signed the petition, and any residential, work or study addresses. The Chief Executive shall have the right to refuse to accept any petition which is considered to be frivolous, vexatious, discriminatory or otherwise inappropriate.

- (3) If the petitioner is present and wishes to do so, he or she may speak but only to the extent of formally repeating the wording of the petition and stating the number of signatories to it. The Commission, board or committee shall then debate the question raised by the petition at that meeting.
- (4) Nothing in this Standing Order will prevent a petition being presented elsewhere provided that it relates to a matter which is already before the body concerned.
- (5) Where a petition attracts significant support from the local community, defined as being signed by at least 10,000 persons living, working or studying in the Authority's area, it will be considered at a meeting of the full County Council.
- (6) Where a body considering a petition believes that a wider debate can be justified, it may report to a meeting of the full County Council, regardless of the number of signatories to that petition.
- (7) If the petition organiser feels unhappy with the way their petition was handled he/she can request that the Council review the steps taken in response to the petition. The petition organiser should contact Democratic Services and provide an explanation of the reasons why the way the petition has been dealt with is not considered to be adequate. The Council will consider the request and respond accordingly within 10 working days.

### **STANDING ORDER 37**

#### ***Variation and revocation of Standing Orders***

Any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Council.

### **STANDING ORDER 38**

#### ***Suspension of Standing Orders***

- (1) Subject to paragraph (2) of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.

- (2) A motion to suspend any of the preceding Standing Orders shall not be moved without notice unless there shall be present at least one-half of the whole number of the members of the Council.

**STANDING ORDER 39**  
***Interpretation of Standing Orders***

The ruling of the Chairman as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.

**[end of Meeting Procedure Rules]**

*[Note: the County Council has determined the following meetings for the purposes of Standing Order 34(2):*

*Adoption Panel;*  
*Appointment Committee (Chief Officer);*  
*Approval of Premises Panel (Civil Marriages);*  
*Children's' Social Care Panel*  
*Complaints Panel (School Curriculum and Religious Education);*  
*County Council Employment Panel;*  
*Disputes Panel;*  
*Fostering Panel;*  
*Guardianship Panel;*  
*Member Conduct Panel;*  
*Representations Panel (Independent providers of adult social care);*  
*]*



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