

## STANDING ORDERS FOR THE REGULATION OF BUSINESS

The Council Procedure Rules (known as Standing Orders) set out the rules of debate and procedure for the conduct of meetings of the Council, including where necessary their application to committees, sub-committees and other bodies.

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Where the term "relevant body" is mentioned under the Standing Orders it relates to the Cabinet, committee, sub-committee or overview and scrutiny panel and this item shall be construed as appropriate.

The Council Procedure Rules contain some mandatory standing orders and other standing orders to reflect local custom and practice. Mandatory standing orders are also reflected in the other Procedure Rules set out in this Constitution.

Councillors and officers shall comply with these Standing Orders at all times.

These Standing Orders shall be subject to further review.

## **A. Introduction**

### **1. Suspension of Standing Orders**

Any Standing Order except No. 8, (Changes to Schedule of Meetings), 10 (Order of Business- Annual Meetings), 46 (Next Business, Closure and Adjournment) and 60 (Respect for Chair and Chair's Decision) may be suspended by a majority of the Councillors present, subject to the usual rules of debate.

### **2. Interpretation**

The words and phrases listed below have the meaning shown:

"Agenda": The notice for a meeting

"Chair": the person presiding at a meeting.

"Committee": means a Committee; a Sub Committee; joint Committee; overview and scrutiny panel

"Days": calendar days, including bank holidays.

"In writing" includes submission by email or fax

### **3. The Lord Mayor**

The Lord Mayor shall be Chair of all full Council meetings.

## **B. Meetings of the Council**

### **4. Publicity, Notice and Access to Meetings**

- (a) The Agenda, Minutes and Reports for all Council and Committee Meetings will be made available at the Civic Offices Information Desk for inspection by the public as soon as practical following their publication.
- (b) Public notice of the time and place of any meeting will be given at least 7 days before the date of the meeting, unless the Council meeting is held at shorter notice.
- (c) Meetings of the Council are open to the public.
- (d) The Council may decide to exclude the public from a meeting during any item when considering exempt or confidential information.
- (e) Notification of the meeting will be given by a "summons" (agenda) which will be provided to each councillor at least 7 days before the meeting, unless the Council meeting is held at shorter notice.

### **5. Annual Meeting**

The annual meeting shall normally take place on the third Tuesday in May.

## **6. Ordinary Meetings**

In addition to the Annual Meeting normal meetings for the transaction of general business shall be held at least six times in each year.

## **7. Time of Meetings**

The Annual Meeting shall start at 11.00am; other meetings of the Council shall start at 2.00 pm unless the Lord Mayor in consultation with the Leader decides otherwise.

## **8. Changes to Schedule of Meetings**

At the Annual Meeting a programme of ordinary meetings of the council for the year will be agreed. No variation to this programme except for the cancellation of a meeting will be allowed except at the request of the Lord Mayor and with the agreement of the Leader. The revised date shall be

- (i) within seven days of the original date;
- (ii) Notified to all councillors at least 7 days before the original date.

## **9. Extraordinary Meetings**

An Extraordinary Meeting may be called by the Chief Executive at the request of:

- (a) the Lord Mayor in consultation with the Leader and the Monitoring Officer
- (b) the Council by resolution
- (c) ten Councillors by notice which has been signed by those Councillors and specifies the business proposed to be transacted.
- (d) the Monitoring Officer

The items to be included on an Extraordinary Council meeting agenda shall be approved by the Lord Mayor, in consultation with the Monitoring Officer, subject to Deputations being permitted on all open business before the Council for decision.

## **10. Order of Business – Annual Meeting**

The order of business of the Annual Meeting of the Council shall normally be to:

- (a) elect the Lord Mayor and Deputy Lord Mayor of the City;
- (b) approve the minutes of the last meeting;
- (c) receive any announcements from the Lord Mayor;
- (d) elect the Leader of the Council (*Note :change in legislation Leader now appoints Cabinet and portfolios*)
- (e) appoint -
  - (i) a Governance & Audit Committee comprising of six Councillors

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- (ii) a Standards Committee comprising six Councillors, five independent members
  - (iii) a Planning Committee comprising nine Councillors
  - (iv) a Licensing Committee comprising fifteen Councillors
  - (v) an Employment Committee comprising six Councillors
- (f) appoint the following overview and scrutiny panels –
- (i) Scrutiny Management Panel comprising nine Councillors
  - (ii) Health Overview & Scrutiny Panel comprising six Councillors
  - (iii) Housing & Social Care Scrutiny Panel comprising six Councillors
  - (iv) Education, Children & Young People Scrutiny Panel comprising six Councillors
  - (v) Traffic, Environment & Community Safety Scrutiny Panel comprising six Councillors
  - (vi) Economic Development Culture & Leisure Scrutiny Panel comprising six Councillors
- (g) appoint Chairs and Vice-Chairs of all the listed committees and panels except for the Standards Committee which shall at its first meeting of the municipal year appoint a chair and vice-chair from amongst the independent members of the committee. No Councillor may be appointed as a chair or vice-chair of a committee during his or her term as Lord Mayor. No Cabinet Member shall be appointed to serve on the Governance and Audit Committee
- (h) appoint Councillors and other Council representatives to Hampshire Fire and Rescue Authority, Hampshire Police Authority, Langstone Harbour Board and Local Government Association
- (i) appoint to each committee or panel up to three named deputies (five in respect of the Planning Committee) from each political group such standing deputy to deputise at request of the councillor on the committee or panel
- (j) consider any other business set out in the agenda
- (k) approve a programme of ordinary meetings of the Council for the year

Note: Should the Council wish to depart from the above structure it would require prior consultation with the Standards Committee.

## **11. Casual Vacancies**

Any vacancy on a committee, panel or other body must be filled by the Council at the next Council meeting after the vacancy has arisen. In respect of Cabinet, a vacancy may be filled at any time by the Leader of the Council (to deal with change in Legislation)

## **12. Contested Positions**

If there are more than two people nominated for any one position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person. If there is a contest for more than one vacancy, those nominees receiving the highest number of votes will be appointed.

## **13. Order of Business and Time of Meetings – Council Meetings**

(For Extraordinary meetings see Standing Order 9 above)

- (1) Council meetings shall begin at 2.00pm. In the event that the Lord Mayor wishes the meeting to start at a different time notice must be given to Councillors at least 7 days before the date of the meeting.
- (2) The order of business at every meeting of the Council shall normally be to:
  - (a) choose a person to preside if the Lord Mayor and Deputy Lord Mayor are absent;
  - (b) where any Councillor has a personal or prejudicial interest under the Code of Conduct in an item at the meeting he or she must declare this at the beginning of the meeting or as soon as practicable after arriving or when the interest becomes apparent and must disclose to the meeting the existence and nature of the interest. Where a Councillor has declared a personal or prejudicial interest and has had to leave the room the business may not proceed after the discussion of the item until the Councillor has been requested to return to the room;
  - (c) approve as a correct record and sign the Minutes of the last meeting of the Council. No motion or discussion shall be allowed on the Minutes except as to their accuracy and any objection on that ground must be made by motion;
  - (d) urgent business brought forward in accordance with Standing Order 26 Urgent Cabinet Business;
  - (e) receive any Lord Mayor's announcements;
  - (f) receive and debate written petitions from the public
  - (g) deputations from the public in accordance with Standing Order 24
  - (h) answer questions from the public submitted under Standing Order 25
  - (i) receive and consider matters for decision referred by Cabinet, Overview & Scrutiny, Governance & Audit, Standards and Employment Committee or referred by the Chief Executive
  - (j) receive Reports submitted by the Overview and Scrutiny Panels
  - (k) consider motions in the order in which notice has been received;

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- (l) answer questions submitted by Councillors under Standing Order 17

#### **14. Six Month Rule**

No member of the public may ask a further question under these Standing Orders, on the same subject, within 6 months of a Councillor or member of the public previously doing so. This provision does not apply in the event that the council is reconsidering a matter within this 6 month period.

#### **15. Variation of Order of Business**

The order of business can only be varied by the consent of the Council.

#### **16. Selection of New Lord Mayor and Deputy Lord Mayor**

The Council at a meeting preceding the Annual Council meeting shall agree a Lord Mayor and Deputy Lord Mayor to be proposed at the Annual Council meeting. Following the appointment of the Lord Mayor at the Annual Meeting, the Lord Mayor shall preside over Council for the next municipal year and thereafter will normally be succeeded by the Deputy Lord Mayor.

### **QUESTIONS BY COUNCILLORS**

#### **17. Questions for the Cabinet or Chair**

(For Extraordinary meetings see Standing Order 9 above)

- (1) At any meeting a Councillor may, subject to the six-month rule, ask
  - (a) the relevant Cabinet Member or Committee Chair any question relating to the Council's powers or duties or which affects the City but which is not otherwise before the Council;
  - (b) any of the Council's representatives serving on the Hampshire Fire & Rescue Authority, Hampshire Police Authority, Langstone Harbour Board and the Joint Crematorium Board, may comment to the Council in relation to any matter arising from an answer submitted under this Standing Order .
- (2) Questions in an acceptable form must be given to the Local Democracy Manager by 12 noon eleven days before the day of the meeting.
- (3) With the permission of the Cabinet Member or Committee Chair, a Councillor may ask any question relating to urgent business for which the usual notice has not been given.
- (4) The Local Democracy Manager will circulate with the agenda questions to be asked under (1) above. Questions will be answered in the chronological order they are received, except that any Councillor who submits more than one question will not have their second or subsequent questions answered until all other Councillors' first round questions have been answered; the same procedure to be followed until all questions have been exhausted.

- (5) The notice of the question under (1) above may indicate that a written answer may be given. Where the question is answered in writing, the written answer will be circulated at the meeting to Councillors.
- (6) The Cabinet Member, committee chair or representative to whom the question is addressed may ask another Councillor to answer the question. The person answering the question shall provide a concise reply to the original or supplementary question(s). Whilst whomsoever is answering the question must make every endeavour to give a full oral answer, an original question may be the subject of a written reply if it is believed that a detailed reply is required that could best be provided in a written form because of the length and/or complexity of the answer to be given which would be circulated to all Councillors within 7 days.
- (7) On any matter arising out of the reply -
  - (i) The Councillor asking the original question may ask up to two supplementary questions that must arise directly out of the original question or the reply;
  - (ii) Any other Councillor will be limited to one supplementary question that must arise directly out of the original question or the replies;
  - (iii) No debate may take place on the reply to a question or any supplementary question.
- (8) Every member of the Council may ask one question. If they wish to ask more than one question the questions shall be asked in rotation in the order in which they were received. Forty five minutes will be allowed for questions under this Standing Order. Where a question is begun an answer will be provided even if the 45 minutes period has been exceeded. If the question has not been put, a written reply will be provided within 14 days and circulated to all members.
- (9) If a Councillor asking a question is not present when that question is reached, a written reply will be forwarded to the Councillor for information.

## **18. Adjourned Meetings**

- (a) When a meeting is adjourned it will reconvene the following day at 4.00 pm, unless the Council decide otherwise.
- (b) When a meeting is adjourned to any other day in the future, notice of the date of the adjourned meeting must be sent to each Councillor and must specify the business to be transacted. A second print of any reports or recommendations will not be sent with the notice.

## **19. Seating Plan**

A seating plan for Council Meetings will be drawn up and amended from time to time by the Local Democracy Manager in consultation with the Leader of the Council and Leader of the Opposition. It will come into effect at the next Council Meeting after being approved by them.



**20. Quorum**

A quorum is one third of the Councillors. If a quorum is not present at the beginning of a meeting, the Chair must adjourn the meeting or bring it to an end.

**21. Counting Out**

Whenever the Chair believes or a Councillor or the Local Democracy Manager or their substitute point out that less than one third are present, the Local Democracy Manager or their substitute must call over the names of the Councillors. If less than one third are present the Chair must declare the meeting closed and the names of the Councillors who are present will be recorded in the minutes. Any business not disposed of must be considered at the next meeting.

**22. "Confidential" and "Exempt" Information**

Councillors and Independent non-elected Members who receive –

- 'confidential' or 'exempt' information within the meaning of the Local Government Act 1972, or
- information in a draft copy of any report or document, or
- information in any report or document bearing an indication that its contents are to be treated as confidential or commercially sensitive, must not disclose that information except –
  - (i) to another Councillor entitled to have that information;
  - (ii) to an officer of the Council authorised to receive it; or
  - (iii) where the Council has given permission to disclose it;
  - (iv) any Councillor may appeal to the Standards Committee to rule on whether any document(s) described as commercially sensitive, draft report, business confidential or confidential should remain so. The Standards Committee should consider such a request as soon as practicable and certainly within 10 days, otherwise the document(s) will be deemed 'open' to the public.

This Standing Order shall be construed as forming part of the Code of Conduct.

The unauthorised disclosure of 'business confidential' documents and information shall be considered a breach of this Standing Order.

**23. Circulation of Minutes and Reports**

- (a) A printed copy of the minutes of every meeting shall be sent to each Councillor prior to the next ordinary meeting.
- (b) Where the next Council meeting is an extraordinary meeting the minutes will be submitted to the next ordinary meeting of the Council for confirmation and signing.

## **24. Deputations**

The Council may receive deputations on a matter, where notice has been given, which is before that meeting of the Council for decision. The following rules will apply –

- (i) Notice of the intended deputation stating which agenda item it refers to and its purpose must be received in writing by the Local Democracy Manager (or the Head of Planning Services in the case of a planning application) by 12 noon on the working day preceding the meeting.
- (ii) When the deputation is given it must relate to the agenda item in respect of which it is made
- (ii) In respect of a Planning Committee matter an objector, or a local ward Councillor, may ask for a matter to be considered by the committee rather than under the scheme of delegation in which case the following provisions will apply:-
  - (a) In respect of a planning application which affects only one ward, only ward councillors may make a deputation on the matter once it has been referred to the planning committee for consideration. Where the application affects more than one ward any Councillor may address the Planning Committee with the consent of the Chair of Planning in consultation with the Monitoring Officer. Further with the consent of the Chair of Planning in consultation with the Monitoring Officer, if the Lord Mayor wishes to make a deputation that deputation may be made by another councillor.
  - (b) any member of the public who objects to the application may make a deputation subject to the provisions below
- (iii) The Council may waive the giving of notice in any case it considers appropriate.
- (iv) No person may speak for more than 6 minutes per deputation.
- (v) The total time for those in favour and against a proposal will be 12 minutes respectively. If more than 2 people wish to speak for or against a proposition, the time allocated to each will be reduced proportionately, unless they agree otherwise amongst themselves how to apportion the 12 minutes.
- (vi) Those attending may make a written or verbal presentation which may be supplemented by a modest visual aid such as a single plan, photograph or video recording. This will be retained by the Council. Video recording presentations are included within the time allowed to deputations.
- (vii) Questions to deputations will be permitted, but only to clarify a statement.

## **25. Questions by the Public at Council Meetings**

(For Extraordinary meetings see Standing Order 9 above)

- (a) A total of 15 minutes will be allowed at each meeting for questions from members of the public on matters relating to the functions of the City Council

*(Generic term "City Council" covers "Cabinet")*(except that no questions will be allowed at meetings to approve the Budget and the Annual Meeting).

- (b) Notice of questions in an acceptable form must be given to the Local Democracy Manager by 12 noon eleven days before the day of the meeting.
- (c) If the Local Democracy Manager believes the question does not relate to the functions of the City Council or is vexatious or frivolous, or relates solely or mainly to the interests of an individual (such as a planning application, an application for benefit or for housing accommodation), it may be disallowed after consultation with the Monitoring Officer.
- (d) A question must be asked in person at the Council meeting by the questioner and will be answered orally by the relevant Cabinet Member or Committee Chair.

In respect of questions to the Standards Committee Chair a written reply will be given.

- (e) The Local Democracy Manager will circulate to Councillors at the meeting the questions to be asked under this Standing Order. Questions will be answered in the chronological order they are received, except that any member of the public who submits more than one question will not have their second or subsequent questions answered until all the other members of the public 'first round' questions have been answered; the same procedure to be followed until all questions have been exhausted.
- (f) The questioner may ask one supplementary question arising directly from the answer. No discussion or debate will take place on the question, but any Councillor may move that a matter raised by a question be referred to the Cabinet, Committee or Scrutiny Panel. Once seconded, such a motion will be voted on without discussion.

## **26. Urgent Council Business**

- (a) The Leader of the Council and any Cabinet Member may bring forward at any meeting of the Council or the Cabinet under the appropriate item on the agenda any urgent and important business, notice of and a written summary of which, shall have been given to the Head of Customer, Community & Democratic Services and the appropriate group spokespersons not later than 5pm on the day preceding the meeting.
- (b) Neither the Leader nor any other Cabinet Member shall speak for more than 6 minutes on the totality of the business each has brought forward under this Standing Order.
- (c) Any matter brought forward by the Leader of the Council or appropriate Cabinet Member will be open to questioning –
  - by each of the other relevant group spokespersons, and
  - If the matter that has been brought forward has a significant impact upon an individual ward, the ward councillors

each of whom may speak for not more than 6 minutes.

- (d) In the event of any matter requiring a decision being brought forward, the normal rules of debate will apply.

## **27. Reports and Recommendations of the Cabinet, Governance and Audit Committee, Employment Committee, Scrutiny Panels and Standards Committee**

The reports and recommendations of the Cabinet, Governance and Audit Committee, Employment Committee, Scrutiny Panels and Standards Committee shall be put to the Council by the Chair one at a time. Those to which no objection is made will be deemed to have been approved and adopted.

## **28. Questioned and Objected Business**

- (a) A Councillor has the right to "question" or "object" to any report or recommendation from the Cabinet, Governance and Audit Committee, Employment Committee, Scrutiny Panels and Standards Committee.
- (b) Where a Councillor asks a question, the Chair will establish whether any other Councillor has a question, and the nature of those questions. Any Councillor wishing to raise an objection must also indicate at this stage. All questions shall then be put and answered by the Leader of the Council, relevant Cabinet Member or the committee or panel chair as appropriate (in respect of questions to Standards Committee Chair a written reply will be given). In the event that an objection has been raised the matter will be deferred to be debated after the question has been answered.
- (c) Where a Councillor wishes to object they must stand and call out "object" when asked to indicate when they object by the Chair. If more than one Councillor objects, the Chair will take the objectors in the subsequent debate in the order in which they raised their objection.
- (d) Any recommendation to which objection has been raised will be deferred until all of the reports and recommendations of the Cabinet, Committees and Panels have been put. Objected recommendations and reports beginning with those of the Cabinet will then be proposed, seconded and open for discussion.
- (e) Any Councillor who has objected to any item and is not present at the time the item is due to be considered will be deemed to have withdrawn their objection. In that situation any other Councillor present at that time may then object to the item.
- (f) Where a Councillor withdraws his/her objection before speaking, any other Councillor may object to the item in their place.
- (g) Where a report of the Cabinet or a Panel is submitted for information, or where an item otherwise falls within the delegated powers of a Committee, no motion or amendment to it may be moved.

**29. Oral Questions by Members**

At any meeting a Councillor may ask the appropriate Cabinet Member, Committee Chair or the Chair of any Panel any question upon their respective published reports and proceedings which are before the Council. The question must be asked before the Council has finished considering the item.

**30. Presentations**

If required by the Leader or relevant Cabinet Member or Chair of any Committee, Panel or leader of the opposition a presentation of up to a maximum of 15 minutes may be made, and subsequently questions may be put for a further 15 minutes thereby not exceeding 30 minutes in total, for the whole item relating to the presentation.

**31. Plans to be Exhibited**

Whenever any plan is referred to in any item submitted to the Council, a plan must be exhibited in the room or immediately adjacent to it.

**32. Notices of Motion**

- (a) Every Notice of Motion must be in writing, signed by at least two Councillors and delivered by 12.00 noon 12 days before the meeting to the Local Democracy Manager. Such a notice may be submitted by email separately by the individual members concerned. (These rules do not apply when a notice of motion is not disposed of and is deferred to the next meeting.
- (b) As long as the Notice of Motion is received before the 12 days it will be placed on the agenda unless
  - (i) it is not a matter within the jurisdiction of Council;
  - (ii) it is a matter which has within the previous 6 months been considered by the Council.

In the event that there is any dispute in relation to a proposed notice of motion the matter shall be referred to the Monitoring Officer who shall decide whether it may be presented to Council in consultation with the Lord Mayor where practicable.

- (c) Notices of motion shall be entered in the agenda of the Council meeting in the order in which they were received.
- (d) Motions included in the agenda must be formally moved and seconded. The mover (but not the seconder) has the right to address the Council for up to three minutes on the question only of whether the motion should be debated at that meeting. Other councillors may not speak nor move any amendment. The motion will then be referred without discussion to the Cabinet or relevant Committee unless the Council agrees to deal with the Motion at that meeting. In that case, the normal rules of debate will apply. Any motion referred to Cabinet or Committee (note this currently includes scrutiny panels) shall be reported back to Council within three scheduled council meetings unless Full Council expresses an earlier date at the time of the referral. When the matter is back before Council for consideration, the normal rules of debate will apply. The

mover and seconder will have the right to attend and speak on the Motion at the meeting of the Cabinet or Committee to which it is referred.

- (e) A Councillor may not propose a Motion under this Standing Order within six months of consideration by a full meeting of the City Council. Eligibility of such motions will be determined by Local Democracy Manager following consultation with the Lord Mayor.

### **33. Motion not Moved**

If a motion is not moved, it will be treated as abandoned unless postponed by consent of the Council and may not be moved without fresh notice.

## **C Rules of Debate and Role of the Chair**

### **34. Conduct of Councillors and Members of the Public in Meetings**

- (a) The Chair may within his or her absolute discretion direct any person
  - (i) to withdraw any improper expression
  - (ii) to stop any irrelevance, repetition, unbecoming language or breach of order
  - (iii) to remove any photographic television sound recording or communications device
  - (iv) to stop their speech or deputation or question or speaking further on an item.
  - (v) to withdraw any statement which is defamatory.
  - (vi) to remove any food from the Council Chamber.
- (b) The Chair may order any further steps to restore order.

### **35. References to Employees of the Council**

- (a) The Chair shall rule out of order any comments relating to the conduct or capability of any officer unless that officer's conduct or capability is the subject matter before the Council.
- (b) If any such question arises it must be dealt with in exempt session.

### **36. Conduct - The Public**

- (a) No member of the public may bring into any part of the room where a meeting has been convened any musical instrument or instrument for making noise or any flag, banner or placard. Any person who attempts to do so may be refused admission or asked to leave the meeting.
- (b) In the case of general disturbance in any part of the room open to the public the Chair may order that part or the whole of the room to be cleared.
- (c) The use of any photographic, television, sound recording equipment or communications, electrical or mechanical device shall only be allowed with the

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express permission of the Council. The Chair may direct its removal or the removal of any person concerned.

**37. Councillors' Right to Speak**

- (a) Councillors must stand when speaking and must address the Chair.
- (b) Councillors may only question or object to a report or recommendation under Standing Order 28 or speak or cast a vote from their designated places in the Chamber.
- (c) While a Councillor is speaking, all other Councillors must remain seated unless raising a point of order.
- (d) When Councillors address the Chair or refer to the Lord Mayor, Deputy Lord Mayor or individual Councillors, they must use the titles 'Lord Mayor', 'Deputy Lord Mayor' and 'Councillor' or 'Chair' respectively.
- (e) The Chair must call Councillors to speak strictly in the order in which each Councillor has indicated his/her intention to do so. If two or more Councillors rise to speak at the same moment, the Chair shall decide the order in which they are to speak.
- (f) A Councillor's remarks must be confined to the question under discussion or to a point of order. No Councillor may address the meeting more than once on the same question, unless permitted to do so by the Council.

**38. Time Allowed to Speakers**

No Councillor may speak for more than 6 minutes on the question under discussion or in moving a motion or amendment, except this shall not apply at the Council Tax meeting when -

the Leader of the Council is moving or replying to the debate and any question arising on the Council Tax estimates, and

the Leaders of each Group are speaking during the debate and any question arising on the Council Tax estimates.

**39. Points of Order and Points of Explanation**

- (1) A Councillor may rise on a point of order and shall be entitled to be heard immediately. A point of order shall only relate to an alleged breach of a standing order and a Councillor shall begin by specifying the standing order and then state the way in which he or she considers it has been broken.
- (2) A Member who has spoken on any question may make a short explanation of any point which may have been misunderstood or misinterpreted. The Member is entitled to be heard immediately but must begin by making a succinct statement of what is to be explained. Remarks must then be strictly confined to the explanation. The explanation must be a brief statement of fact and not further argument on the question before the meeting.

#### **40. Motions and Amendments without Notice**

Any of the following proposals may be moved without notice:

- (1) To appoint a Chair for the meeting or the remainder of the meeting.
- (2) Motions relating to the accuracy of the minutes.
- (3) To vary the order of the Agenda.
- (4) Subject to Standing Order 45, a Motion or amendment arising out of consideration of an item on the Agenda.
- (5) To refer or refer back an item to the Cabinet or a Committee, subject to a majority in the meeting, together with an explanation from the mover as to why the matter cannot be resolved.
- (6) To appoint the Cabinet, a Committee, Sub-Committee, Panel or any other body, or a person to it.
- (7) To adopt reports and recommendations before it.
- (8) To receive, adopt or otherwise take action on any report of the Leader of the Council or a Cabinet Member under Standing Order 26.
- (9) For the proposer to withdraw a Motion.
- (10) To extend the time limit for speeches.
- (11) To put the question to the vote immediately.
- (12) To adjourn the debate.
- (13) To adjourn the Meeting.
- (14) To suspend one or more Standing Orders.
- (15) To exclude the public from the Meeting.
- (16) Any other motion which arises directly or indirectly out of the business immediately under discussion.

#### **41. Motions and Amendments**

- (a) A motion or amendment shall not be discussed unless it has been proposed and seconded.
- (b) The terms of the motion (unless printed in the Agenda) or amendment must be disclosed before the conclusion of the speech by its mover. The Chair shall require it to be written down and given to the Chair immediately after being seconded and before it is discussed further or put to the meeting.
- (c) An amendment must be relevant to and a modification of the proposition.



- (d) An amendment shall be -
  - (i) to leave out words; or
  - (ii) to leave out words and insert or add others; or
  - (iii) to insert or add words.
- (e) An amendment may not introduce a new proposal or simply negate the motion before the Council.
- (f) After a motion or amendment has been moved and seconded, it may not be withdrawn except with the agreement of the Council. No debate will take place on whether to agree to its withdrawal.
- (g) No motion or amendment which would have a financial effect on the Council may be moved unless it specifies the source of funding.

**42. One Amendment at a Time (Not Applicable at Council Meetings)**

- (a) When an amendment has been moved and seconded, it must be voted upon before any further amendment is voted upon.
- (b) A Councillor who has either moved or seconded an amendment on the original proposition or anything which has replaced it may neither move nor second any further amendment.

**43. Notice of Further Amendment (Not Applicable at Council Meetings)**

Notice of a second or subsequent amendment must be given and its terms disclosed before the beginning of the reply to the debate on the first amendment.

**44. Amendments and Further Amendments (Not Applicable at Council Meetings)**

When an amendment is carried it displaces the proposition and becomes the substantive proposition. Further amendments to the new substantive proposition may be moved, seconded and discussed. Once all the amendments are disposed of, the substantive proposition will be put to the vote without further debate.

**45. Amendments and Further Amendments (Applicable at Council Meetings)**

In respect of Council Meetings only -

- (i) After introduction by the relevant proposer notice of all amendments must be moved and seconded before the commencement of the debate on the original motion. Unless Councillors otherwise agree, no Councillor may move an amendment or further amendment during the course of debate on the original motion.
- (ii) Paragraph (i) will not apply to the Budget debate.
- (iii) A Councillor who has either moved or seconded a proposal may not move or second any amendment to that proposal, likewise any member who has

Agreed by the City Council 24 March 2009 (updated 25 January 2011)

proposed and seconded an amendment, cannot propose or second a further amendment.

- (iv) Before commencement of the debate the Chair will advise the Council of the sequence in which motions and amendments will be voted upon following the debate and the effect of certain proposals on others.

The original mover of the motion may choose to accept any amendment which has been put which may then become part of the substantive motion which then becomes the matter before them.

#### **46. Next Business, Closure and Adjournment**

- (a) A Councillor who has not spoken may, at the conclusion of a speech of another Councillor, move without comment "that the question is put to the vote immediately" or "that the Council adjourn". If this motion is seconded and the Chair believes that the question has been sufficiently discussed, the motion will be put to the vote without amendment or discussion. If it is carried, the mover of the original motion may exercise the right to reply; the question will then be put to the vote, or the subject of debate will be deemed to be disposed of for that day, or the meeting will be adjourned, as the case may be.
- (b) A Councillor who has spoken may not vote on the motion that the question is put to the vote or on a motion that the Council proceed to the next business.

#### **47. Right of Reply**

- (a) The mover of the original motion giving rise to any question will have the right to reply to the debate on any question.
- (b) The reply must not exceed 5 minutes in duration and must relate solely to points raised in the debate. After the reply has begun no other Councillor may speak on the question.
- (c) Immediately after the reply -
  - (i) the Chair will remind the Council of the sequence in which motions and amendments will be voted upon following the debate and which, if any, motions or amendments will fall if others are carried; and
  - (ii) voting will then proceed without any further debate or question.

#### **48. Voting**

- (a) Every decision must be determined by a show of hands (or a ballot in respect of appointments) unless a recorded vote is requested. To be present for a vote a Councillor must be in an allocated seat. When a vote is taken the Chair will announce the decision.
- (b) A recorded vote may be requested by 8 Councillors standing in their designated places before the vote is taken.

- (c) A recorded vote will be taken by Councillors standing in their places and then sitting as their names are called. The recorded vote will show how each Councillor voted or abstained.
- (d) Any Councillor who so wishes may have their opposition/abstention to a decision recorded in the minutes, provided that they have made this request clearly to the meeting and before the next item on the agenda is called.

## **D. Other Council Meetings including regulatory committees**

### **49. Application of Standing Orders to other Council meetings including Regulatory committees and Panels**

The above standing orders apply to all meetings of the council including the regulatory committees and individual decision making meeting of Cabinet Members and panels with the following exceptions or alterations for meetings other than Council

- (a) Councillors need not stand when speaking in meetings other than Council
- (b) speaking from designated places does not apply
- (c) a recorded vote may be requested by a majority of the Councillors present

## **E. Continuation in Office, Quorum, Meetings & Committee Business**

### **50. The Cabinet and Committees - Continuation in Office**

- (a) The Cabinet and all Committees continue until the successor is appointed by Council.
- (b) The Cabinet nor any Committee may not meet between the fourth day after the day of the ordinary election of Councillors and the date of the Annual Meeting of the Council in any year.
- (c) No Cabinet nor Committee meetings (except Licensing Committee) shall be held during August except when the Chair considers it necessary for the transaction of urgent and important business.

### **51. Quorum of Cabinet and Committees**

- (a) A quorum for a Committee is one third of the membership of the Committee.
- (b) A quorum for the Cabinet is 3 Councillors.
- (c) No standards committee may be quorate without an independent member being present and an independent member chairing the meeting.
- (d) If a quorum is not present at the beginning of a meeting, the Chair may adjourn the meeting or bring it to an end.

## **52. Absence of Chair**

- (a) If the Chair is absent from any part of a meeting, the Committee must appoint a Chair for that period. No Councillor may preside at their own election. If the Chair is present at the meeting the Chair must chair the meeting.
- (b) If the Chair is absent from any part of the meeting if there is a vice-chair and they are present they will preside over the meeting for that period. If there is no vice-chair then the committee must appoint a Chair for that period.

## **53. Special Meetings**

- (a) The Chair may summon a special meeting of a Committee at any time.
- (b) A special meeting must be summoned if a request is received in writing from one third of the total number of members of the Committee. The agenda for any special meeting must set out the business to be considered.
- (c) The Local Democracy Manager or Monitoring Officer may arrange for a special meeting of the committee at any time.

## **54. Appointment and Quorum of Sub-Committees**

- (a) The Council or a Committee may appoint Sub-Committees from whichever Councillors they think appropriate and may refer or delegate to them whatever powers the Council or Committee has.
- (b) All Sub-Committees must appoint a Chair if one is not appointed by the Council or a Committee. (Except in the case of a Licensing Sub Committee where each sub committee must appoint its own chair).
- (c) A quorum of a sub-committee shall be -
  - (i) For a membership of five or more - 3
  - (ii) For a membership of less than five - 2
  - (iii) Except in the case of a Licensing sub committee when it must be a quorum of 3
  - (iv) In the case of a Standards (Pre-assessment) Committee the quorum shall be 3 and shall include one independent member who shall chair the sub-committee
- (d) If a quorum is not present at the beginning of a meeting, the chair must adjourn the meeting or bring it to an end.
- (e) The Council or a Committee may appoint to each Sub-Committee one named Member of each Group to act as standing deputy. The standing deputy may deputise at the request of the Member of the Sub-Committee. Attendance as deputy will be in accordance with rules issued from time to time by the Local Democracy Manager after consultation with the Group Leaders.

**55. Councillors speaking at meetings where they are not members of the committee**

All Councillors are entitled to attend meetings of the Cabinet and of Individual Portfolio Members and address the meeting on items on the agenda.

A Councillor may attend and speak at any council meeting for up to 6 minutes subject to the following provisions:-

- Panel:- a councillor may only speak at the invitation of the panel;
- Licensing sub committee:- a councillor may only speak at the committee when making a deputation at the request of the local community in accordance with the law
- Planning Committee:- a councillor may only speak at the committee when making a deputation in accordance with Standing Order 24 above
- Standards sub committee:- a councillor may only speak at the sub committee when requested to do so by the sub committee chair;
- Employment sub committee:- a councillor may only speak when requested to do so by the sub committee chair, otherwise the advice of the Monitoring Officer should be sought before attending any such sub committee.

**56. Councillor's request for additional items to be added to agenda**

- (a) A Councillor may require additional items to be added to the agenda of Council, Cabinet or committee meetings. The Council, Cabinet or committee may decide not to consider the item if the Councillor does not attend
- (b) In respect of a Cabinet meeting a Councillor must obtain the permission of the Leader to add an item to the agenda.
- (c) No Councillor may require an item of business to be included on an agenda if the subject matter has been considered by the City Council, the Cabinet, Committee within the preceding six months.

**57. Addition of Urgent Items to the Agenda**

The committee chair may agree to add additional items to the agenda if the committee chair on the advice of the local democracy manager considers the matter to be urgent and that the decision must be made before the next meeting of that committee.

**58. Urgent Decisions by Chief Executive**

- (a) Decisions may be taken as a matter of urgency by the Chief Executive if he/she considers it necessary to do so in the interests of the efficient administration of the council's services to exercise any of the powers of the Council.
- (b) Prior to exercising this provision the Chief Executive must consult with and take into account the views of:

- the Leader, Leader of the Opposition and Chair of Governance & Audit in respect of Council decisions;
- the Leader and relevant portfolio holder, if appropriate, Leader of the Opposition and relevant Group Spokesperson, if appropriate in respect of Cabinet decisions;
- the Chair and Vice-Chair in respect of Employment Committee decisions.

In the event that the appropriate consultees referred to above are unavailable before making the decision then the Chief Executive shall consult with their respective Deputies or Vice Chairs; or another Member of the Employment Committee in respect of Employment Committee decisions

All such decisions shall be reported to the relevant decision making body at its next meeting.

### **59. Informal Meetings**

Informal meetings may be called by the Leader of the Council in consultation with the Chief Executive and Monitoring Officer to discuss any business e.g. revision of Standing Orders and the City Plan and that such meetings be held in closed session.

### **60. Respect for Chair and Chair's Decision**

- (a) The Chair's ruling on any matter in relation to the interpretation or application of these standing orders shall be final and not open to discussion.
- (b) Councillors must respect the authority of the Chair and address him or her accordingly.
- (c) When the Chair stands up during a debate, any Councillor then standing must immediately stop speaking and sit down.