

**AMENDMENTS TO STANDING ORDERS (Part B of the Constitution)**

**PROCEDURES FOR COUNCIL MEETINGS**

**No. 1**

**MEETINGS OF THE COUNCIL**

- (1) .Subject to any subsequent legislation to the contrary, the Annual Meeting of the Council shall be held within three weeks of the District or County Council Elections to accord with the provisions of the Local Government Act 1972.
- (2) In addition to the Annual Meeting of the Council and any meetings convened by the Chairman or Members of the Council (SO 1 (3) below refers), meetings for the transaction of general business shall be held in each year on dates to be determined for the ensuing year by the Council.
- (3) Five Members of the Council may call for an extraordinary meeting of the Council in accordance with the requirements of Schedule 12 to the Local Government Act 1972 (Part 1, section 3)<sup>1</sup>.
- (4) (i) (iii)
  - (iv)

**No. 2**

**APPOINTMENT OF CHAIRMAN OF THE COUNCIL**

The first business to be dealt with at the Annual Meeting of the Council shall be the appointment of the Chairman for the ensuing year.

**No. 3**

**APPOINTMENT OF VICE-CHAIRMAN OF THE COUNCIL**

After the appointment of the Chairman of the Council at the Annual Meeting the next business to be dealt with shall be the appointment of a Vice-Chairman for the ensuing year.

**No. 9**

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<sup>1</sup> LGA 1972, Schedule 12, Part 1, Section 3: *“An extraordinary meeting of a principal council may be called at any time by the chairman of the council. If the chairman refuses to call an extraordinary meeting of a principal council after a requisition for that purpose, signed by five members of the council, has been presented to him, or if, without so refusing, the chairman does not call an extraordinary meeting within seven days after the requisition has been presented to him, then any five members of the council, on that refusal or on the expiration of those seven days, as the case may be, may forthwith call an extraordinary meeting of the council.”*

## **MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE**

The following motions and amendments may be moved without notice:-

- (1) Appointment of a Chairman of the meeting at which the motion is made.
- (2) Motions relating to the accuracy of the minutes.
- (3) That an item of business specified in the summons has precedence.
- (4) Remission to a Committee
- (5) Appointment of a Committee or Members thereof, occasioned by an item mentioned in the summons to the meeting.
- (6) Adoption of recommendations of Committees or officers and any consequent resolutions.
- (7) That leave be given to withdraw a motion.
- (8) Extending the time limit for speeches.
- (9) That the Council proceed to the next business.
- (10) That the question be now put.
- (11) That the debate be now adjourned.
- (12) That the Council do now adjourn.
- (13) Authorising the sealing of documents.
- (14) Suspending Standing Orders, in accordance with Standing Order No. 48.
- (15) A Motion under Section 100A (2) and (4) of the Local Government Act 1972 to exclude the public.
- (16) That a Member named under Standing Order No. 33(Disorderly Conduct) be not further heard or leave the meeting.
- (17) Giving consent of the Council where the consent of the Council is required by these Standing Orders.

### **No. 13**

#### **VOTING AT COUNCIL MEETINGS**

- (1) Subject to SO 12(6) below, the manner of voting at meetings of the Council shall be at the discretion of the Chairman, to ensure that the outcome of any vote is beyond doubt .
- (2) In the event of an equality of votes, the Chairman shall have a casting vote.
- (3) Immediately after a vote is taken, any Member may request that the way in which s/he voted (or abstained) be recorded in the minutes.

- (4) Before a vote on any matter is taken, a Member may request that details be recorded in the minutes to show how each Member voted, or whether they abstained. For this to proceed, five other Members will be required to indicate their support.
- (5) In any event, at any meeting of the full Council at which a budget decision is made, the voting shall be recorded in the minutes. 'Budget decisions' for the purposes of this Standing Order shall mean any decision defined as such under the Local Authorities (Standing Orders) (England) (Amendments) Regulations 2014.
- (6) Recorded votes required under (4) and (5) above shall be conducted by an appropriate Officer calling the name of each Member present who shall thereupon state whether they are voting 'for' 'against' or whether they wish to 'abstain'. The Officer shall record the voting and inform the Chairman of the result.
- (7) Where there are two persons nominated for any position to be filled by the Council, the Chairman shall conduct a vote by:
  - asking Members to vote (by a show of hands) for the first nominee according to alphabetical order of surname; and
  - repeating the process for the other nominee, with the individual with the most votes being duly appointed.
- (8) Where there are three or more persons nominated for any position (or positions) to be filled by the Council, an appropriate Officer shall call the name of each Member present who shall thereupon state his / her preferred candidates. The officer shall record the votes cast for each person nominated and shall inform the Chairman of the result who will then confirm which Councillor has been appointed.

## **COMMITTEE MEETINGS AND PROCEDURES**

### **No. 15**

#### **COMMITTEES**

- (1) The Policy Committees of the Council are:-
  - Community Services Committee
  - Housing Committee
  - Planning Policy Committee
  - Strategy & Resources Committee
- (2) The Regulatory/Statutory/Other Committees of the Council are:
  - Audit & Scrutiny Committee
  - Licensing Committee
  - Planning Committee
  - Standards Committee

### **No. 16**

## COMMITTEES - CONFIDENTIALITY OF PROCEEDINGS

- (1) Committee or Sub-Committee reports may be exempt from publication and shall be treated as confidential if:
  - (i) their content falls within the descriptions of exempt information in Part 1 of Schedule 12A of the Local Government Act 1972 (as amended) (reproduced in (3) below); and
  - (ii) the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- (2) Proceedings at Committee / Sub-Committee meetings shall be conducted in public (including by way of public access to webcasting and/or conferencing facilities) unless a Committee / Sub-Committee passes a resolution to exclude the press and public on the grounds referred to in (1) above (via exclusion from the physical meeting place, or by terminating remote access to the meeting).
- (3) The definitions of exempt information detailed in Part 1 of Schedule 12A of the Act (referred to in (1) (i) above) are:
  1. *Information relating to any individual.*
  2. *Information which is likely to reveal the identity of an individual (including the authority holding that information).*
  3. *Information relating to the financial or business affairs of any particular person (including the authority holding that information).*
  4. *Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.*
  5. *Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.*
  6. *Information which reveals that the authority proposes -*
    - (a) *to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or*
    - (b) *to make an order or direction under any enactment*
  7. *Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.*

*The following additional descriptions of exempt information also apply to meetings of Standards Committees /Standards Sub-Committees:*

7A. *Information which is subject to any obligation of confidentiality.*

7B. *Information which relates in any way to matters concerning national security.*

- 7C. *Information presented to a Standards Committee, or to a Sub-Committee of a Standards Committee, set up to consider any matter under regulations 13 or 16-20 of the Standards Committee (England) Regulations 2008 or referred under section 58(1)(c) of the Local Government Act 2000.*

*Qualifications:*

8. *Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under:*
- (a) *the Companies Act 1985[3];*
  - (b) *the Friendly Societies Act 1974[4];*
  - (c) *the Friendly Societies Act 1992[5];*
  - (d) *the Industrial and Provident Societies Acts 1965 to 1978[6];*
  - (e) *the Building Societies Act 1986[7]; or*
  - (f) *the Charities Act 1993[8].*
9. *Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992[9].*
10. *Information which:*
- (a) *falls within any of paragraphs 1 to 7 above; and*
  - (b) *is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.*

**No. 19**

**COMMITTEES - APPOINTMENT OF CHAIRMEN, VICE-CHAIRMEN AND SUB-COMMITTEES**

- (1) At the conclusion of the Annual Meeting of the Council, each Committee shall meet to elect a Chairman and appoint a Vice-Chairman (and a second Vice-Chairman if Full Council so requires, in which case the posts shall be designated '1<sup>st</sup> Vice-Chair' and '2<sup>nd</sup> Vice-Chair') and any Sub-Committees for the year. For each of these meetings, the Chairman of the Council (or in his / her absence the Vice-Chairman of the Council) shall preside.
- (2) If other business needs to be transacted at a Committee meeting immediately following Annual Council, the Chairman or Vice-Chairman of the Council shall vacate the Chair in favour of:
- (i) the newly elected Chairman of the appropriate Committee; or
  - (ii) the Vice-Chairman of the appropriate Committee (if two Vice-Chairmen have been appointed to the appropriate committee, the Member appointed to the '1<sup>st</sup> Vice-Chair' position shall preside, or, in his/her absence, the Member appointed to the '2<sup>nd</sup> Vice-Chair' position shall preside)

- (3) No member of the Council shall be Chairman of more than one Committee.
- (4) A Committee may, if required, create a 2<sup>nd</sup> Vice-Chair position during the course of a Municipal Year.
- (5) At a Committee meeting, in the absence of the Chairman:
  - (i) if one Vice-Chairman has been appointed, he / she shall preside;
  - (ii) if two Vice-Chairmen have been appointed, the holder of the 1<sup>st</sup> Vice-Chair position shall preside or, in his / her absence, the holder of the 2<sup>nd</sup> Vice-Chair position
  - (iii) if the Vice-Chairman or both Vice-Chairmen are absent, the Committee shall elect one of its other members to preside

**No. 24**

**ATTENDANCE OF MEMBERS AT MEETINGS OF  
COMMITTEES AND SUB-COMMITTEES OF WHICH THEY ARE NOT MEMBERS**

- (1) Any Councillors may attend meetings of any Committee or Sub-Committee of which they are not members. However, in such cases, a Councillor must obtain the consent of the Chairman of the meeting concerned in order to speak.
- (2) In no circumstances shall Councillors vote on any matter before a Committee or Sub-Committee of which they are not members.

**No. 25**

**VOTING AT COMMITTEES AND SUB-COMMITTEES**

- (1) The manner of voting at meetings of Committees and Sub-Committees shall be at the discretion of the Chairman, to ensure that the outcome of any vote is beyond doubt.
- (2) In the event of an equality of votes, the Chairman shall have a casting vote.
- (3) Immediately after a vote is taken at a Committee or Sub-Committee meeting, any Member may request that the way in which s/he voted or abstained be recorded in the minutes of that meeting.

**PROVISIONS RELATING TO BOTH COUNCIL AND COMMITTEES**

**No. 27**

**ATTENDANCES AT MEETINGS**

- (1) The clerk of the meeting or other appropriate officer shall record the names of every Member of the Council attending a meeting of the Council, or of any of its Committees or Sub-Committees.

## **No. 28**

### **DISCLOSURE OF INTERESTS AND PARTICIPATION AT MEETINGS**

Members shall:

- (1) Disclose any disclosable pecuniary interest, or other interest which the Council has decided is appropriate for disclosure, at meetings at which they are present and at which associated matters are considered;
- (2) Notify the Monitoring Officer of any interest not already registered but which is disclosed to a meeting under (1) above within 28 days of the disclosure; and
- (3) Not participate in any discussion or vote where they have a disclosable pecuniary interest in a matter and withdraw from the meeting, during consideration of the matter unless a dispensation has been granted.

## **No. 30**

### **QUESTIONS AT MEETINGS**

- (1) Subject to (i) to (x) below, a Councillor, or a person resident, working or studying in the District, may put a question to the Leader or a Committee Chairman at any meeting of the Council (other than the Annual Meeting) or to the Chairman presiding at a Committee meeting on any matter in relation to which the Council / Committee has powers or duties or which affects the District:
  - (i) such questions must be received by e-mail or in writing to the Chief Executive or nominated Officer by 5pm on the second working day prior to the day of the meeting;
  - (ii) the Chief Executive may, at her / his discretion, refuse to allow a question to be presented if s/he considers it to be offensive, excessively lengthy, outside the scope of this Standing Order, or on the same subject as another question or upon which a question has been answered in the previous three months;
  - (iii) subject to (ii) above, questions shall be e-mailed to all Members by 6.00pm on the working day prior to the meeting and either:
    - read out at the meeting by the individual concerned from within the meeting room; or,
    - the individuals concerned will be given the opportunity to pre-record their questions (such recordings to be facilitated by the Council, limited to the individual speaking to camera, without additional augmentations to promote their views) and for the recordings to be replayed at the meeting. Otherwise, such questions will be read out by the Chief Executive or nominated officer, either from within a physical meeting place or from a remote location;
  - (iv) the maximum total time periods allowed for questions shall normally be as follows and can only be extended at the discretion of the Chairman:

- 1 hour for Council meetings; and
  - 10 minutes for committee meetings
- (v) the questions shall be taken in the order that they were received by the Chief Executive or nominated Officer, subject to questions from residents and others working or studying in the District being dealt with first, followed by questions from Members;
- (vi) such questions shall be dealt with at the beginning of the relevant meeting;
- (vii) at Full Council meetings, the Chairman may request that the answer be given by another Member of the Administration (e.g. if the Member to whom a question is directed is absent or if the Chairman considers that, in any event, it would be more appropriate for another Member to respond);
- (viii) at Committee meetings, the Chairman may request that the answer be given by another Member of the Administration or an Officer;
- (ix) at the meeting, subject to the person asking the question being present, the Chairman will ask them if the response answers their concern or if they wish to ask a supplementary question (if a supplementary question is asked, it must arise from the reply given);
- (x) at Full Council meetings, the person asking the question shall be allowed to ask a second supplementary question (if a second supplementary question is asked, it must arise from the reply given to the original or first supplementary question);
- (xi) at Full Council meetings Members who respond to original questions may nominate another Member(s) to respond to supplementary questions;
- (xii) at Committee meetings, those responding to original questions may nominate another Member(s) or Officer(s) to respond to supplementary questions;
- (xiii) answers to both original and supplementary questions may take the form of:-
- (a) a direct oral answer; or
  - (b) where the desired information is contained in a publication of the Council, a reference to that publication.
- (2) A Member of the Council may ask the Chairman of a Committee any question regarding a Committee minute which is under consideration by the Council.



## **REPRESENTATIONS AT MEETINGS (other than petitions – Standing Order 32 refers)**

### (1) Representations at meetings of the Planning Committee

- 1.1
- an objector;
  - a representative of the relevant parish or village council; and
  - the applicant or agent

...may speak about a planning application from within the meeting room for up to three minutes each.

- 1.2 Alternatively, such speakers will be given the opportunity to pre-record their representations (such recordings to be facilitated by the Council, limited to the individual speaking to camera, without additional augmentations to promote his or her views) and for the recordings to be replayed at the meeting. Otherwise, such representations must be submitted in writing (including via e-mail) and read out at the meeting by the Chief Executive or nominated representative, either from within a physical meeting place or from a remote location. In either case, the deadline for the receipt of such submissions shall be by noon on the working day before the meeting. The maximum time allowed for replaying or reading out each representation shall be three minutes. Such representations shall be tested for compliance with the three-minute rule and individuals will be asked to curtail their recordings if necessary.

- 1.3 **In either case**, if more than one objector wishes to speak or have their representation recorded or read out, a single representative will normally be asked to speak or submit representations on behalf of fellow objectors. Professional agents may act on behalf of objectors. Supplementary written submissions, visual aids, hand-outs or other material will not be allowed. Representations should not seek to introduce new information or material not previously submitted with the application. This may result in the application being deferred for further consideration or public comment.

- 1.4 Where there is considerable public interest in an application and several objectors want to speak on particular and different aspects, the Chairman may allow additional speakers. In such circumstances, the applicant may be granted more time to respond at the Chairman's discretion.

- 1.5 All public speaking at the meeting is at the Chairman's discretion.

- 1.6 The provisions of this Standing Order shall take precedence over the Planning Protocol.

### (2) Representations at other Committee meetings

- 2.1 Members of the public and other interested parties can make representations at meetings of any Policy Committee (or Sub-Committee thereof) or the Audit & Scrutiny

Committee in connection with a particular agenda item. The maximum time allowed shall be three minutes per person. Unless the agenda already makes special provision for members of the public to participate at a particular meeting, such requests must be sent by email, or submitted in writing to the Chief Executive or nominated Officer at least two working days prior to the Committee meeting in question. Acceptance of such requests, together with those received after the aforementioned deadline or at the meeting, shall be at the discretion of the Chairman of the relevant meeting, having due regard to the number of contributions, the potential for repetition of the subject matter and the likely length of the meeting. Members of the public or interested parties can either:

- read out their representations at the meeting from within the meeting room; or
- they will be given the opportunity to pre-record their representations (such recordings to be facilitated by the council, limited to an individual speaking to camera, without additional augmentations to promote his or her views) and for the recordings to be replayed at the meeting. Otherwise, such representations will be read out by the Chief Executive or nominated representative, either from within a physical meeting place or from a remote location. Such representations shall be tested for compliance with the three-minute rule and individuals will be asked to curtail their submissions if necessary.

## **No. 32**

### **PRESENTATION OF PETITIONS TO MEETINGS OF THE COUNCIL AND ITS COMMITTEES (excluding the Planning and Licensing Committees)**

- (1) This Standing Order applies to the presentation of petitions at meetings of:
  - (i) the Council (other than the Annual Meeting); and
  - (ii) Committees (excluding the Planning and Licensing Committees).
  
- (2) Such petitions must be:
  - (i) confined to matters which fall under the Authority's powers or duties or which specifically affect the whole or part of the District, but must not concern individual planning applications / enforcement matters / licensing decisions, or other matters where there is a statutory right of review or appeal. (Whilst members of the public may wish to organise petitions in respect of planning and licensing issues, these will be taken into account as part of the Council's separate decision making processes. For example, petitions about planning applications can be referred to by residents when addressing the Planning Committee as part of the public speaking arrangements specifically tailored for that Committee);

- (ii) signed by at least ten persons living, working or studying in the area;
  - (iii) submitted at least ten clear working days before the relevant meeting to the Chief Executive or nominated Officer, either via email, the Council's website (on-line format), or the delivery of a paper copy, together with notice of the intention to present it.
- (3) The Chief Executive must be satisfied that it would be appropriate for the petition to be presented (i.e. that the prayer of the petition does not exceed 300 words; does not contain offensive language; and that it otherwise complies with the requirements of this Standing Order).
- (4) Subject to (3) above, the presentation of petitions shall take place:-
  - (i) at Council meetings (other than the Annual Meeting), in accordance with Standing Order 6; or
  - (ii) at Committee meetings specified in 1 (ii) above, immediately after the submission of questions by members of the public.
- (5) The presentation of a petition (to be by any one of the ten or more signatories specified in 2(ii) above or a Member of the Council) shall be in the form of a statement, limited to not more than three minutes, and shall be confined to the subject matter of the petition, indicating the number and description of the signatories, and making such further supporting remarks relevant to the petition. Spokespersons can either:
  - read out their statements from within the meeting room; or
  - be given the opportunity to pre-record their statements and for the recordings (such recordings to be facilitated by the Council, limited to an individual speaking to camera, without additional augmentations to promote his or her views) to be replayed at the meeting. Otherwise, such statements will be read out by the Chief Executive or nominated officer on behalf of the spokesperson, either from within a physical meeting place or from a remote location.
- (6) Regarding petitions presented to the Council itself, the Chairman of the Council:-
  - (i) may, if s/he considers it convenient and conducive to the despatch of business, allow the subject matter to be dealt with at the meeting at which it is presented; or otherwise
  - (ii) shall refer the subject matter, without discussion, to the relevant Committee or Sub-Committee for consideration.
- (7) Regarding petitions presented to a Committee:-
  - (i) the Chairman of the Committee may, if s/he considers it convenient and conducive to the despatch of business, allow the subject matter to be dealt with at the meeting at which it is presented; or otherwise

- (ii) the subject matter shall stand referred, without discussion, either to the next ordinary meeting of the Committee or appropriate Sub-Committee.
- (8) Petitions shall be presented in the order in which notice of them is received by the Chief Executive or nominated Officer.
- (9) Notwithstanding the provisions of this Standing Order, it is acknowledged that any person may, if s/he so wishes, present a petition to the Council out of meeting.

### **No. 33**

#### **DISORDERLY CONDUCT - MEMBERS**

- (1) If at any meeting of the Council, a Committee, or Sub-Committee, any Member of the Council, in the opinion of the Chairman misconducts him/herself by persistently disregarding the ruling of the Chairman, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the meeting, the Chairman or any other Member may move "that the Member named be not further heard", and the motion if seconded shall be put and determined without further discussion.

#### **Continuing misconduct by a named Member**

- (2) If the Member named continues his / her misconduct after a motion under the foregoing paragraph has been carried, the Chairman may :-

#### **EITHER**

Move "That the Member named do leave the meeting" in which case the motion shall be put and determined without seconding or discussion (if carried, the named Member shall be asked to leave the meeting).

#### **OR**

Adjourn the meeting for such period, as s/he in her/his discretion considers expedient.

#### **General disturbance**

- (3) In the event of general disturbance which, in the opinion of the Chairman, makes it impossible to conduct business, s/he may adjourn the meeting without question for whatever period s/he considers appropriate.

### **No. 34**

#### **DISTURBANCE BY THE PUBLIC**

- (1) The Chairman shall warn any member of the public who interrupts the proceedings at any meeting. If the individual continues the interruption, the Chairman may order his / her removal from the meeting venue. In the event of general disturbance in any part of the meeting venue open to the public, the Chairman shall order that part to be cleared. Similarly, in event of general disturbance from members of the public participating remotely, the Chairman may order all such public access to be terminated.

(2) The Chairman may adjourn the meeting as per SO 33(3) above.