

**ARDS AND NORTH DOWN  
BOROUGH COUNCIL**

# STANDING ORDERS

**27 MAY 2015**



**Ards and  
North Down**  
Borough Council





# List of Contents

<b>Standing Order</b>	<b>The Council</b>	<b>Page</b>
1	Annual and Monthly Meetings	6
2	Time and Place of Meetings	6
3	Convening Special Meetings	6
4	Notice and Summons of Meetings	7
5	Chair to be taken	7
6	Chairperson of Meeting	7
7	Quorum	8
8	Admission to meetings	8
9	Record of attendances at meetings	8
10	Exclusion of the public	9
11	Attendance of members at Committees	9
12	Deputations	10
13	Order of Business	10
14	Minutes of Council	11
14.1	Keeping of; as evidence; etc.	11
14.2	Signing of;	11
15	Submission of Minutes	11
16	Minutes of Committees	11
17	Motions	12
17.1	On notice	12
18	Amendments	13
18.1	To amend the Proposal.	13
18.2	That the Council do now adjourn	13
18.3	That the debate be adjourned	14
18.4	That the question be now put.	14
18.5	That the Council do now proceed to the next business.	14
19	Amendments to regulatory decisions	15
20	Rules of Debate	15
20.1	Motions and amendments to be reduced to writing and seconded	15
20.2	Alteration of motion	15
20.3	Withdrawal of motion	15
20.4	Mode of address.	15
20.5	Precedence in speaking	15
20.6	Place of Member speaking.	16
20.7	Member called to order	16
20.8	Definition of point of order.	16

<b>Standing Order</b>	<b>The Council</b>	<b>Page</b>
20.9	Member may raise a point of order.	16
20.10	Ruling of Chairperson on a point of order.	16
20.11	Member to speak to motion.	16
20.12	Member shall not speak more than once.	16
20.13	Duration of speeches.	16
20.14	Addressing the Council.	17
20.15	Only one motion/amendment may be moved and discussed at a time.	17
20.16	When a motion is under debate no other motion shall be moved.	17
20.17	Chairperson rising during debate.	17
20.18	Chairperson not to receive motion for direct negative.	17
20.19	Mover's right of reply.	17
21	Voting.	18
21.1	Majority.	18
21.2	Chairperson's casting vote.	18
21.3	Qualified majority.	18
21.4	Show of hands.	18
21.5	Recorded vote.	18
22	Call-in Process.	19
23	Positions of responsibility, etc. Time Limits.	20
24	Appointment of more than one Committee.	20
25	Rescission of a preceding resolution.	21
26	Members' conduct.	21
26.1	Speaking through the Chair.	21
26.2	Chairperson standing.	21
26.3	Member not to be heard further.	21
26.4	Member to leave the meeting.	21
26.5	General disturbance.	21
27	Disturbance by public.	22
27.1	Removal of member of public.	22
27.2	Clearance of part of meeting room.	22
28	Suspension and amendment of Standing Orders.	22
28.1	Suspension.	22
28.2	Amendment.	22
29	Interpretation of Standing Orders.	22



## Introduction

In accordance with Section 37 of the Local Government Act [Northern Ireland] 2014, Councils are required to make Standing Orders for the regulation of the proceedings and business of the Council. A Council's Standing Orders will include elements that the Act states they must include, elements that the Regulations state must be included and other elements which a Council may consider should be included. The Standing Orders provide a robust, clear and accountable framework to demonstrate how it will conduct meetings and transact business at those meetings.

Section 38 of the Act provides the Department with an enabling power to make Regulations about Standing Orders.

The proposed Regulations will make more detailed provision in relation to:

- decisions that will require a qualified majority vote;
- the operation of the process for the reconsideration of a decision;
- the timescales in which the appointment of a Councillor to hold a position of responsibility must take place; and
- the procedure for appointing members to Committees, where the Council wishes to appoint more than one Committee at a time

## Statutory Provisions

For information, convenience and completeness, provisions of the Local Government Act [Northern Ireland] 2014 have been cited in these Standing Orders.

It is considered correct that actual Standing Orders should make no reference to statutory provisions as such provisions cannot be part of Standing Orders.

## Glossary of Terms

“2014 Act” means the Local Government Act [Northern Ireland] 2014

“2014 Executive Arrangements Regulations” means the Local Government [Executive Arrangements] Regulations [Northern Ireland] 2014

“2014 Standing Orders Regulations” means the Local Government [Standing Orders] Regulations [Northern Ireland] 2014

“call-in” means a requisition for the reconsideration of a decision as provided for in section 41(1) of the 2014 Act.

In Standing Order 23

“2000 Act” means the Political Parties, Elections and Referendums Act 2000;

“member” means Councillor;

“nominating officer” in relation to a Party, means

[a] the person registered under the 2000 Act as the Party's nominating officers; or

[b] a member of the Council nominated under the 2000 Act for the purposes of Schedule 1 to the 2014 Act; and

“party” means a party registered under the 2000 Act in the Northern Ireland register [within the meaning of that Act].

These Standing Orders do not apply to the Planning Committee which will have its own Standing Orders.

## 1. Annual and Monthly Meetings

- [1] In every year that is not a local election year the Council shall hold an Annual meeting on the first Wednesday in the month of June, unless the Council otherwise decides.
- [2] In any year which is a local government election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as the Council may fix at the offices of the Council or at such other place as the Department may direct.
- [3] A meeting of the Council for the transaction of general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the last Wednesday of every month. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.
- [4] Meetings of the Council shall not take place on a Public or Bank Holiday, a Saturday or a Sunday. When the day of a meeting falls on one of these days, the meeting shall be held on the next available date instead.

## 2. Time and place of meetings

The Annual Meeting shall be held at 11.00am and other meetings of the Council shall be held at 7.00pm at an agreed location in the Borough.

Council and Committee meetings are scheduled to last a maximum of two hours. If a meeting lasts more than two hours there will be an adjournment of up to 15 minutes at the discretion of the Chairperson who will take account of the remaining business to be considered by the Committee/Council.

## 3. Convening Special Meetings

- [1] The Mayor of the Council may call a meeting of the Council at any time.
- [2] The Mayor may call a meeting of the Council if a requisition for such a meeting, signed by five members or one-fifth of the whole number of members, whichever is the greater, is presented to them; and, if they refuse to call a meeting on such a requisition or if, without so refusing they do not call such a meeting within the period of seven days from the date of service of the requisition on them, any five members or one-fifth of the whole number of members, whichever is the greater, may on that refusal or on the expiration of that period forthwith call a meeting of the Council.



## 4. Notice and Summons of Meetings

Three days at least before a meeting of the Council or, a Committee:

- [1] Notice of the time and place of the intended meeting shall be published at the offices of the Council. Where the meeting is called by Councillors, the notice shall be signed by them and shall specify the business proposed to be transacted thereat;
- [2] A summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Chief Executive shall be left at, or sent by ordinary post, to the usual place of residence of every Councillor, or issued electronically to members via email. Want of service of this summons shall not affect the validity of a meeting;
- [3] Except in the case of business required by statute, or where in the opinion of the Presiding Chairperson of the meeting the business should be considered by the meeting as a matter of urgency, no business shall be transacted at a meeting of the Council, a Committee or Sub-Committee other than that specified in the summons relating thereto;
- [4] Any other business cannot be considered at the Council meetings or the Planning Committee but may be considered at all other Committees.

## 5. Chair to be taken

At each meeting of the Council, the Chair shall be taken at the time for which the meeting is convened, and business immediately proceeded with.

## 6. Chairperson of Meeting

- [1] At a meeting of the Council, the Mayor of the Council, if present, shall preside.
- [2] If the Mayor is absent from a meeting of the Council, the Deputy Mayor, if present, shall preside.
- [3] If both the Mayor and Deputy Mayor are absent from a meeting of the Council, the members present shall nominate a member to preside in their absence.
- [4] If discussion arises on the allocation of the position of Presiding Chairperson, the Chief Executive shall exercise the powers of the Presiding Chairperson to assist in the regulation of that discussion.
- [5] Any power of the Mayor in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

## 7. Quorum

- (1) Subject to sub-paragraph 7.4, no business shall be transacted at a meeting of the Council and its Committees unless at least one-quarter of the whole number of Councillors are present.
- (2) If during a meeting, the person presiding, after the number of members present is counted, declares that a meeting is inquorate and it is unlikely that there will be a quorum present within fifteen minutes, they shall declare the meeting adjourned.
- (3) Any uncompleted business on the agenda of a meeting adjourned under Standing Order 7(2) above, shall be tabled for discussion at the reconvened meeting. No business, other than the uncompleted business on the agenda of the meeting adjourned, may be discussed at the reconvened meeting.
- (4) Where more than one-quarter of the members become disqualified at the same time then, until the number of members in office is increased to not less than three-quarters of the whole number of members, the quorum of the Council shall be determined by reference to the number of members remaining qualified instead of by reference to the whole number of members.

## 8. Admission to meetings

- (1) Subject to the provisions of this Standing Order, every meeting of the Council shall be open to the public and press.
- (2) The public and press may attend only in those parts of the Council Chamber provided for their accommodation at meetings of the Council, unless specifically excluded in accordance with the provisions of Standing Order 10; or as required by the Council to comply with provisions in relation to Fire Safety and Health & Safety.
- (3) The admission of the public and press is upon the understanding that they must continue at all times to be seated, and that no expression of opinion or noise of any kind be allowed from them.
- (4) At all times during which a meeting of the Council is open to the public, the Council shall, so far as is practicable, cause to be made available to duly accredited representatives of newspapers attending for the purpose of reporting proceedings at the meeting reasonable facilities for taking reports of these proceedings.
- (5) Taking photographs of proceedings or the use of any other means by members of the public or the press to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council.
- (6) The use of social media by Councillors, members of the public or journalists shall be permitted, during those proceedings that are open to the public, to the extent that its use does not disrupt proceedings.

## 9. Record of attendances at meetings

The names of the members present at a meeting of the Council shall be recorded by the minute taker. If a member is not present for the full duration of a meeting the minutes shall record when he or she enters and/or leaves the meeting.



## 10. Exclusion of the public and press

- [1] The public and press shall be excluded from a meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence.
- [2] The Council may by resolution exclude the public and press from a meeting of the Council [whether during the whole or part of the proceedings at the meeting] for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the meeting.
- [3] The Presiding Chairperson may at any time during the proceedings, if they think it necessary to secure order, direct the removal of any individual or group of individuals from the Council Chamber, or order the Council Chamber to be wholly cleared of members of the public and press.
- [4] The Council, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be deemed necessary to consider any matter not included in the resolution, the public and press shall be re-admitted and the Presiding Chairperson may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.
- [5] The Council, having excluded the public and press, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. If the business referred to in the resolution is not transacted, the Council may be resumed and a member of the Council may move that the Council again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.
- [6] If the Council, with the public and press excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a member of the Council may, with leave of the Council, report on the progress to that point and ask the Council's permission to sit again.
- [7] When the Council, having transacted business with the public and press excluded, submits its report to the Council, a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

## 11. Attendance of Members At Committees

Any member may attend a Committee meeting of which he/she is not a member, but may not take a Council seat within the main meeting area. If the public and press are excluded from the meeting the member is not required to leave the meeting.

## 12. Deputations

- [1] Deputations, from any source, shall only be admitted to address the Council provided the Clerk has received seven working days notice of the intended deputation and a statement of its objective, and subject to the agreement of the Council.
- [2] In the case of an emergency, Deputations, from any source, shall only be admitted to address the Council provided the Clerk has received one working day's notice of the intended deputation and a statement of its objective, and subject to the agreement of the Mayor.
- [3] The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. The totality of the address shall not exceed 10 minutes followed by a maximum 15 minutes question and answer session.
- [4] Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council will decline to accept another deputation on the same issue from the same individual or group for a period of six months.
- [5] No discussion shall take place by the Council on the subject matter until the deputation has withdrawn.

## 13. Order of Business

Subject to any statutory requirements to the contrary, the order of business at every meeting of the Council shall be as follows:

- a) Apologies;
- b) declaration of members' interests;
- c) Mayor's Remarks;
- d) confirmation of the Minutes of the last stated meeting and of all adjourned meetings and special meetings held since the last stated meeting;
- e) matters arising;
- f) adoption of the minutes of the proceedings of any Committees and consideration of reports, if any, from such Committees;
- g) requests for deputations;
- h) business required by statute to be transacted at the meeting;
- i) reports on decisions/recommendations subject to the reconsideration procedure;
- j) correspondence;
- k) sealing of documents, and
- l) consideration of motions of which due notice has been given, in the order in which they have been received.



## 14. Minutes of the Council

### 14.1 Keeping of; as evidence; etc.

- [1] Minutes of the proceedings of a meeting of the Council, or of a Committee or sub-Committee, shall be drawn up and entered in a bound book kept for that purpose.
- [2] No discussion shall take place upon the Minutes except upon their accuracy.
- [3] Any minute purporting to be signed as mentioned in sub-paragraph [1] shall be received in evidence without further proof.
- [4] Until the contrary is proved, a meeting of the Council or of a Committee or Sub-Committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a Committee or Sub-Committee, the Committee or Sub-Committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

[Paragraphs 10[2] and 10[3] of Schedule 5 to the 2014 Act applies].

### 14.2 Signing of

The Minutes of a meeting of the Council shall be signed at the next ensuing meeting of the Council by the Mayor, if approved by the meeting at which they fall to be signed.

[Paragraph 10[1] of Schedule 5 to the 2014 Act applies].

## 15. Submission of Minutes

- [1] In order to give sufficient time for the printing of the minutes and for their perusal by the members of the Council, minutes of meetings of a Committee held later than seven clear days before the meeting of the Council shall not be submitted to that meeting for approval. This may be disapplied where a Committee considers the matter to be of extreme urgency and records such a decision in its minutes.
- [2] It shall be the duty of a Committee, through the Presiding Chairperson or their representative, when its minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.

## 16. Minutes of Committees

- [1] A motion or amendment shall not be made or proposed, or any discussion allowed on the proceedings of Committees with reference to any matter within the remit of a Committee which does not appear on the minutes submitted to the meeting of the Council.
- [2] Any matter in the minutes of a Committee on which a request for reconsideration, under Section 41 of the 2014 Act, has been lodged with the Clerk of the Council shall be identified, and may not be the subject of discussion at that meeting.

## 17. Motions

- (1) Every motion shall be relevant to some matter:
  - i) in relation to which the Council:
    - a) has power or duties;
    - b) is not prevented from taking action on by other legislation;
  - ii) which directly affects the local government district or its residents; and
  - iii) for which the Council is legally competent.
- (2) The decision of the Mayor as to the relevancy of a motion shall be final.

### 17.1 On notice

- (1) Notice of every motion, other than a motion which under Standing Order 16.2 may be moved without notice, shall be given in writing, signed by the member or members of the Council giving the notice, to the Chief Executive not later than at least seven clear days before the next meeting of the Council. The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language, and not later than seven clear days before the meeting.
- (2) A motion shall be rejected if, in the opinion of the Chief Executive (having taken advice), the wording or nature of the motion is considered unlawful, improper or irrelevant.
- (3) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every member of the Council.
- (4) Notices of motion shall be entered by the Chief Executive in their proper place upon the Summons Paper in the order in which they are received.
- (5) If a motion set out in the Summons is not moved either by a member who gave notice, or by some other member on their behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (6) If the subject matter of any motion of which notice has been properly given comes within the remit of any Committee it shall, upon being moved and seconded, stand referred without discussion to that Committee, or to such other Committee as the Council may determine, for consideration and report. The Presiding Chairperson may, if they consider it urgent and necessary to the dispatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.
- (7) If a notice of motion fails to be considered at a meeting of the Council, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Chief Executive by the member concerned not later than seven clear days, at least, before the Council meeting.
- (8) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the Summons Paper for a period of six months from the date of the second meeting at which the matter has failed to be considered.
- (9) A member or members who sign and submit a motion which is then accepted as valid may propose or second the motion at any Committee it is referred to of which they are not a member, and shall have speaking but no voting rights on the same basis of other Committee members when the motion is being considered.



## 18. Amendments

- [1] When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:
  - a) to amend the proposal; or
  - b) that the Council do now adjourn; or
  - c) that the debate be adjourned; or
  - d) that the question be now put; or
  - e) that the Council do proceed to the next business.

### 18.1 To amend the Proposal

- [1] An amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.
- [2] An amendment to a Motion shall be either:
  - a) to refer a subject of debate to a Committee or to an officer for consideration or re-consideration;
  - b) to leave out words;
  - c) to leave out words and insert or add others; or
  - d) to insert or add wordsbut such omission, insertion or addition of words shall not have the effect of directly negating the Motion before the Council.
- [3] When an amendment upon an original proposal has been moved, the question to be put shall be "That the amendment be made". Where any amendment is agreed, the question to be put shall be "That the proposal, as amended, be agreed". Where any amendment is rejected the question of the substantive proposal shall be put.

### 18.2 That the Council Do Now Adjourn

- [1] Any member of the Council who has not already spoken to the proposal or amendment then under debate may move "that the Council do now adjourn". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.
- [2] In the event of the proposal for the adjournment being carried, the Presiding Chairperson shall [unless stated in the proposal] fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business [if any] on the Agenda for the meeting so adjourned.
- [3] A second proposal "that the Council do now adjourn" shall not be made within half-an-hour unless, in the opinion of the Presiding Chairperson, the circumstances are materially altered.

### 18.3 That the Debate be Adjourned

- (1) Any member of the Council who has not already spoken to the proposal or amendment then under debate may move “that the debate be adjourned”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) Before putting to the meeting a proposal “that the debate be adjourned”, the Presiding Chairperson shall call on the mover of the proposal or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.
- (3) If the proposal be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the Council unless a special meeting of the Council shall be called for the purpose.
- (4) On resuming an adjourned debate, the member who moved its adjournment shall be entitled to speak first. A second proposal “that the debate be adjourned” shall not be made within half-an-hour. A member shall not move or second more than one proposal for the adjournment of the same debate.

### 18.4 That the Question Be Now Put

- (1) Any member who has not already spoken to the proposal or amendment then under debate may move “that the question be now put”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) If the Presiding Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, they shall put the proposal “that the question be now put” to the vote without debate and if same is carried, the proposal or amendment under discussion shall be put to the Council.
- (3) A second proposal “that the question be now put” shall not be made on the discussion of the same question within half-an-hour.
- (4) A member shall not move or second more than one proposal “that the question be now put” on the discussion of the same question.

### 18.5 That the Council Do Now Proceed to the Next Business

- (1) Any member of the Council who has not already spoken to any proposal or amendment then under debate may move, “that the Council do proceed to the next business”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.
- (2) If the Presiding Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, they shall put the proposal “that the Council do proceed to the next business” to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the Council.
- (3) When a proposal is carried “that the Council do proceed to the next business”, the question under discussion shall be considered as dropped.
- (4) A second proposal “that the Council do proceed to the next business” shall not be made on the same question within half-an-hour.
- (5) A member shall not move or second more than one proposal “that the Council do proceed to the next business” on the discussion of the same question.



## 19. Amendments to Regulatory Decisions

- [1] No amendment may be moved to a minute which is a Regulatory Decision.
- [2] For the purposes of these Standing Orders, a Regulatory Decision is a determination of an application for planning permission or any decision, determination, action, direction, order, approval, refusal, or enforcement action in exercise of powers of the Council as the local planning authority [or those powers specified in Executive Arrangements Regulations]; or any application for which the Council is the licensing authority.

## 20. Rules of Debate

### 20.1 Motions and amendments to be reduced to writing and seconded

- [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 Order 16.1, it shall be put into writing before it is further discussed or put to the meeting.
- [2] A Member when seconding a motion or amendment may, if they then declare their intention to do so, reserve their speech until a later period of the debate.

### 20.2 Alteration of motion

- [1] A Member may alter a motion of which they have given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion.
- [2] A Member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- [3] Only alterations which could be made as an amendment may be made.

### 20.3 Withdrawal of motion

- [1] A Member may withdraw a motion of which they have given notice under Standing Order 16.1 at any time after the meeting has commenced provided that they have not moved the motion or spoken on it and has the consent of the meeting. The meeting's consent will be signified without discussion.
- [2] A Member may withdraw any other motions which they have moved with the consent of both the meeting and seconder. The meeting's consent will be signified without discussion.
- [3] No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

### 20.4 Mode of address

For meetings of Council/Sub-Committees the established mode of address is to stand (if able to do so) when addressing the Mayor or Committee chairperson. While a Member is speaking, the other members shall remain seated unless rising to a point of order or in personal explanation. A member shall direct their speech to the question under discussion or to a personal explanation or to a point of order.

### 20.5 Precedence in speaking

Whenever two or more members indicate their intention to speak at the same time, the Presiding Chairperson shall decide who has precedence.

## 20.6 Place of member speaking

A member when addressing the Presiding Chairperson shall stand in the place allocated to them in the Council Chamber.

## 20.7 Member called to order

If any member, while speaking, be called to order, shall resume their seat and shall not rise again to address the Council until the Presiding Chairperson has disposed of the question of order.

## 20.8 Definition of point of order

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 provision and the way in which they consider it has been broken.

## 20.9 Member may raise a point of order

A member may raise a point of order and shall be entitled to be heard immediately.

## 20.10 Ruling of Presiding Chairperson on point of order

The ruling of the Presiding Chairperson on a point of order shall not be open to discussion.

## 20.11 Member to speak to motion

A member who speaks shall direct their speech strictly to the Motion under discussion, or an amendment thereof.

## 20.12 Member shall not speak more than once

A member who has spoken on any Motion shall not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another member;
- b) if the Motion has been amended since they last spoke, to move a further amendment;
- c) if their first speech was on an amendment moved by another Member to speak on the main issue whether or not the amendment on which they spoke was carried;
- d) in the exercise of a right to reply given by Standing Order 19.19;
- e) on a point of order.

## 20.13 Duration of speeches

Except with the permission of the Council, a member, in introducing a Motion, shall not speak for more than ten minutes and in replying, for more than five minutes. Other speakers shall be allowed one interaction which will last no longer than five minutes.



## 20.14 Addressing the Council

The Council during its sitting, shall not, unless with the consent of the Council, be addressed by any person who is not either a member of the Council or the Chief Executive of the Council.

## 20.15 Only one amendment may be moved and discussed at a time

- [1] Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- [2] If an amendment is not carried, other amendments to the original motion may be moved.
- [3] If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

## 20.16 When a motion is under debate no other motion shall be moved

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

- a) to amend the motion;
- b) to adjourn the meeting;
- c) to adjourn the debate;
- d) to proceed to the next business;
- e) that the question be now put;
- f) that a Member be not further heard;
- g) by the Presiding Chairperson under Standing Order 23.4, that a Member do leave the meeting.

## 20.17 Presiding Chairperson rising during debate

Whenever the Presiding Chairperson rises or otherwise calls the meeting to order during a debate, a Member then speaking shall cease and the Council shall be silent.

## 20.18 Presiding Chairperson not to receive motion for direct negative

The Presiding Chairperson shall not receive a Motion for a direct negative to a question but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.

## 20.19 Mover's right of reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on their amendment.

## 21. Voting

### 21.1 Majority

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those members present and voting.

### 21.2 Presiding Chairperson's casting vote

If there are equal numbers of votes for and against, the Presiding Chairperson will have a second or casting vote.

### 21.3 Qualified majority [Mandatory]

A qualified majority shall be required in relation to a Council's decision on–

- (a) the adoption of executive arrangements or prescribed arrangements as the Council's form of governance [Section 19 of the 2014 Act];
- (b) the method, other than d'Hondt, to be adopted for filling positions of responsibility [Schedule 1 of the 2014 Act];
- (c) the method, other than Quota Greatest Remainder, to be adopted for appointing Councillors to Committees [Schedule 2 of the 2014 Act];
- (d) the exercise of the general power of competence in accordance with Section 79 of the 2014 Act;
- (e) a call-in made in accordance with Section 41(1) (b) of the 2014 Act; and
- (f) the suspension of Standing Orders.

### 21.4 Show of hands

Unless a ballot or recorded vote is demanded under Standing Order 20.5, the Presiding Chairperson will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

### 21.5 Recorded vote

If, before a vote is called, any member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.



## 22. Call-in Process [Mandatory]

- [1] In respect of those decisions to which this standing order applies, a decision of the Council must be reconsidered if a requisition is presented to the Clerk and Chief Executive of the Council signed by at least 15 % of the members of the Council.
- [2] A requisition may only be presented on either or both of the following grounds;
  - [a] That the decision was not arrived at after a proper consideration of the relevant facts and issues
  - [b] That the decision would disproportionately affect adversely any section of the inhabitants of the district.
- [3] In relation to a recommendation made by Committee, a requisition must be presented within five days of the receipt of the Council Agenda to which the minutes of the Committee meetings are appended. In relation to a decision made by Committee under delegated powers, a requisition must be presented within five days of the date of the Committee meeting. In relation to a decision made by Council, a requisition must be presented within five days of the date of the meeting.
- [4] In respect of 2(b) above the Chief Executive of the Council will obtain the opinion of a practising solicitor or barrister.
- [5] A qualified majority will be required in relation to a Council's decision on a call-in made in accordance with Standing Order 21 (2)(b).
- [6] Those decisions exempted from call in by the department will not be subject to this standing order.
- [7] The following decisions shall not be subject to call-in:
  - [a] a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism, or
  - [b] a decision where an unreasonable delay could be prejudicial to the Council's or the public's interests.
- [8] No decision shall be subject to call-in more than once for each of the reasons specified in Section 41 (1) of the 2014 Act.

## 23. Positions of responsibility, etc. – Time Limits [Mandatory]

- [1] Subject to sub-paragraph [2] of this standing order, in relation to positions of responsibility selected in accordance with paragraphs 2[1] and 2[2] of Schedule 1 to the 2014 Act, the period specified for–
  - [a] the nominating officer to select a position of responsibility and the term for which it shall be held; and
  - [b] the person nominated to accept the selected position shall be 15 minutes.
- [2] An extension to the period specified in sub-paragraph [1] of this standing order may be granted subject to the approval of the Council. Such an extension may be requested by–
  - [a] the nominating officer;
  - [b] the person nominated to hold the selected position; or
  - [c] another member.

## 24. Appointment of more than one Committee [Mandatory]

- [1] Where the Council appoints more than one Committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent members of the Council, it shall agree–
  - [a] the number of Committees to be appointed; and
  - [b] the number of Councillors that shall constitute the membership of each Committee.
- [2] The total number of places to which a nominating officer of a party may nominate Councillors who stood in the name of that party when elected must be calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.
- [3] A nominating officer's function under paragraph 2[1][b] of Schedule 2 to the 2014 Act shall be exercised in such manner as to ensure that–
  - [a] all members of a Committee are not nominated by the same nominating officer;
  - [b] a nominating officer of a party may nominate Councillors who stood in the name of that party to fill the majority of places on a Committee, if the majority of Councillors stood in the name of that party; and
  - [c] subject to [a] and [b], the number of Councillors nominated by each nominating officer of a party, in so far as is reasonably practicable, bear the same proportion to the number of places on that Committee as is borne by the number of members who stood in the name of that party.
- [4] Nominations made in accordance with sub-paragraph [3] of this standing order shall take into account any positions of responsibility on a Committee held by a Councillor who stood in the name of a party.



## 25. Rescission of a Preceding Resolution

- [1] No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed by a member unless the notice thereof given in pursuance of Standing Order 17.1 bears the names of at least 15% of the members of the Council.
- [2] When any such motion or amendment has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months.
- [3] This Standing Order shall not apply to motions moved in pursuance of a recommendation of a Committee [or a Call-in]

## 26. Members' conduct

### 26.1 Speaking through the Chair.

When a member speaks at the Council they must stand (if able to do so) and address the meeting through the Presiding Chairperson. If more than one member wishes to speak, the Presiding Chairperson will ask one to speak and will allow the other members to speak in turn.

### 26.2 Presiding Chairperson standing

When the Presiding Chairperson stands during a debate, any member speaking at the time must stop and retake their seat. The meeting must be silent.

### 26.3 Member not to be heard further

If at a meeting any member of the Council, misconducts himself/herself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the Council, the Presiding Chairperson or any other member may move "that the member named be not further heard". The Motion, if seconded, shall be put and determined without discussion.

### 26.4 Member to leave the meeting

If the member named continues to behave improperly after such a motion is carried, the Presiding Chairperson or any other member may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

### 26.5 General disturbance

When the Presiding Chairperson is of the opinion that the due and orderly dispatch of business is impossible, they in addition to any other powers vested in them may, without question put, adjourn the meeting of the Council for such period as they in their discretion shall consider expedient.

## 27. Disturbance by public

### 27.1 Removal of member of the public

If a member of the public interrupts proceedings, the Presiding Chairperson will warn the person concerned. If they continue to interrupt, the Chairperson will order their removal from the meeting room.

### 27.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Presiding Chairperson may call for that part to be cleared.

## 28. Suspension and amendment of Standing Orders

### 28.1 Suspension

A member may move a motion for the suspension of one or more of these Council Standing Orders. A motion under this Standing Order shall require the support of a qualified majority vote within the meaning of Section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The minutes of the meeting must record the reason for the suspension. Mandatory Standing Orders may not be suspended by a Council. Mandatory and non-mandatory Standing Orders may not be suspended by a Committee unless there is delegated powers in place to do so.

### 28.2 Amendment

Any motion to, add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned be referred without discussion to the next ordinary meeting of the Council and any resultant amendment will be ratified at an ordinary meeting of the Council.

## 29. Interpretation of Standing Orders

The ruling of the Chairperson as to the interpretation, 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.