



Copeland Borough Council General Standing Orders

Definition: The term committee in these General Standing Orders includes committees, sub-committees, panels and any other bodies established by Council as a committee within the meaning of section 102(4) of the Local Government Act 1972.

Standing Order 1

Meetings of the Council

Annual Meeting

1.1 The Council will hold its Annual Meeting at a place and time and on a day in May which it will decide at or before its last meeting prior to the Annual Meeting. In the absence of decision or statutory provision to the contrary, the day will be the second Tuesday in May, but, in election year, the second Tuesday after the Council elections.

Ordinary Meetings

1.2 Ordinary Meetings will be held at such place and time as the Council may determine.

Extraordinary Meetings

- 1.3
- a) Extraordinary Meetings of the Council may be called at any time by the Mayor, or by the Council by resolution.
 - b) Five or more Members of the Council may call an Extraordinary Meeting of the Council if a requisition for such a meeting, signed by five or more Members of the Council, has been presented to the Mayor and either he/she has refused to call a meeting or, without his/her so refusing, no Extraordinary Meeting has been called within seven days of the presentation of the requisition.
 - c) No business shall be placed on the agenda for an Extraordinary Meeting held in pursuance of a requisition for such meeting other than that specified in the requisition.

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

Standing Order 2

Order of Business at the Annual Meeting

- 2.1 The order of business at the Annual Meeting of the Council shall be:
- a) Election of Mayor and appointment of Deputy Mayor for the coming year.
 - b) Signing of the Minutes of the last Ordinary Meeting.
 - c) In the absence of the Mayor and Deputy Mayor, to choose a Chairman of the meeting.
 - d) Appointment of the Leader of the Council and the Deputy Leader of the Council and acknowledgement of appointment of other political groups of the Council for the coming year.
 - e) Appointment of the executive and appointment and delegation of Council business to, and the number and naming of, the Executive, Panels, Standards Committee and Overview and Scrutiny Committees for the coming year, in accordance with Standing Order 18.
 - f) Programme of meetings for the coming year.
 - g) Urgent appointments to outside bodies.
- 2.2 No other business will be transacted at the Annual Meeting.

Standing Order 3

Order of Business at an Ordinary Meeting

- 3.1 The order of business at every Ordinary Meeting of the Council will be:
- a) Choose a person to preside if the Mayor and Deputy Mayor are absent.
 - b) Deal with any item required by statute to be done before any other business.
 - c) Approve as a correct record and sign the minutes of the last meeting of the Council.
 - d) Mayor's announcements.
 - e) Dispose of business (if any) remaining from a previous meeting.
 - f) Receipt of petitions.
 - g) Answer questions under Standing Order 10 from members of the public.

- h) Receive and consider all other reports and recommendations of the Executive, Panels and Committees.
- i) Answer questions asked under Standing Order 9 from Members of the Council.
- j) Consider motions under Standing Order 8 in the order received.
- k) Other business, if any, specified in the summons.
- l) Other business to be considered on grounds of urgency as agreed by the Mayor under Section 100B of the Local Government Act 1972.

3.2 The order of business, with the exception of items (a), (b) and (c), may be altered by the Mayor, or by a resolution following a motion moved, seconded and put to the meeting without debate.

Standing Order 4

Quorum

- 4.1 The quorum at a meeting of the Council is one quarter of the voting Members. If the meeting lacks a quorum its business shall be adjourned to a fixed date and time, or to the next Ordinary Meeting.
- 4.2 If, during any meeting, the Mayor after counting the number of Members present declares that there are not at least one quarter of the Members present, the meeting shall stand adjourned.

Standing Order 5

Public Disturbance

- 5.1 Any member of the public continuing to interrupt proceedings after being warned shall, on the order of the Mayor, be removed from the building where the meeting is taking place. The Mayor may order clearance of any public part of the meeting place if general disturbance occurs.

Standing Order 6

Petitions

- 6.1 All petitions addressed to the Council shall be considered by the Executive or relevant Committee at its next meeting.

- 6.2 Where petitioners specifically request that their petition shall go direct to Council, such petitions shall be considered by the Council with the prior agreement of the Mayor. The presenter of the petition (a member of the public or a Member of the Council) may address the terms of the petition for not more than five minutes and the petition shall then stand referred without discussion to the *Executive or* relevant committee but the Council may, upon motion duly made and seconded, order any petition to be dealt with in a different manner, *including consideration and determination at the meeting at which it is presented.-*

Standing Order 7

Motions and Amendments Without Notice

- 7.1 A Member may move without notice any of the following motions and amendments:
- a) To appoint a Chairman for that meeting or the remainder of the meeting.
 - b) Motions relating to the accuracy of the minutes of a previous meeting of Council.
 - c) To vary the order of the agenda.
 - d) Subject to the limitation set out in paragraph (f) below of this standing order, to move a motion arising out of consideration of an item on the agenda, but the motion must be relevant to that item and must not introduce any new subject matter.
 - e) That a body be appointed, or a person appointed to a body.
 - f) To adopt reports and recommendations of the Executive, committees, Panels or officers, but a Member cannot move a motion or amendment which amends a decision made under powers delegated to a committee or an officer by the Council, or a decision of the Executive.
 - g) To give leave to withdraw a motion.
 - h) To extend the time limit for speeches.
 - i) Amendments to motions.
 - j) To move on to the next item on the agenda.
 - k) To put to the question immediately to the vote.
 - l) To adjourn the debate.
 - m) To adjourn the meeting.
 - n) To suspend one or more standing orders.
 - o) To exclude the public from the meeting under Section 100A(4) of the Local Government Act 1972.
 - p) Under Standing Order 12.15(f) not to hear a Member further.

- q) Under Standing Order 12.15(g) by the Mayor to require a Member to leave the Meeting.
- r) To give any consent required by these standing orders

Standing Order 8

Notices of Motion

- 8.1 A Motion not listed in Standing Order 7 must be given in writing to the ~~Head of Legal & Democratic Services~~~~Chief Legal Officer~~ AT LEAST SEVEN CLEAR WORKING DAYS before the relevant meeting, and be signed by the Member(s) giving the notice.
- 8.2 The ~~Chief Legal Officer~~~~Head of Legal & Democratic Services~~ shall :
 - ~~a) Date and number each Notice of Motion on receipt of it and enter it in a book which anyone may inspect; and~~
 - ~~b)~~ set out in the summons for the Council meeting all motions which comply with the requirements of paragraph 8.1 of this standing order in the order they have been received, unless the Member has in writing either withdrawn it or stated a wish to move it at a later meeting.
- 8.3 Motions must relate to matters where the Council has powers or duties or which affect the Borough.
- 8.4 The Council will treat as withdrawn any motion not moved at the meeting at which it appears upon the summons, unless its postponement is agreed.
- 8.5 Any motion, the subject matter of which comes within the province of the Executive or any committee(s), may:
 - a) Be referred without discussion to the Executive or such committee as the case may be
 - b) be dealt with at the meeting at which it is moved if the Mayor considers that it would be convenient to do so.
- 8.6 The Member who has moved the motion must be notified by the ~~Chief Legal Officer~~~~Head of Legal & Democratic Services~~ of the meeting(s) of the committee(s) to which it has been referred, and has the right to attend the meeting(s) and to explain the motion.

Standing Order 9

Questions from Members

- 9.1 A Member may ask the Mayor or the Leader, or Executive Member or the chairman of any committee any question on any matter where the Council has powers or duties or which affects the Borough.
- 9.2 Providing the question meets the requirements of paragraph 9.3(a) below, the ~~Head of Legal and Democratic Services~~ ~~Chief Legal Officer~~ will provide a copy of each question to every Member attending the meeting.
- 9.3 A question must:
- a) Be given in writing to the ~~Chief Legal Officer~~ ~~Head of Legal & Democratic Services~~ AT LEAST SEVEN CLEAR WORKING DAYS before the meeting; or
 - c) relate to urgent business, in which case agreement of the Mayor to the question being put shall be required and, where possible, a copy of the question will be given to the ~~Chief Legal Officer~~ ~~Head of Legal & Democratic Services~~ before 10.00 am on the day of the meeting; or
 - d) relate to the content of an Executive Report, or the content of other recommendations or reports before the Council.
- 9.4 The questions shall be put and answered without discussion, but the person to whom the question is addressed may decline to answer. The Member shall be allowed one further or supplementary question provided that it is relevant to the original question and does not introduce a new subject matter. Where a Member has given notice of more than one question, the first questions asked by all other Members shall be answered before second questions are answered, subject to paragraph 9.6 below.
- 9.5 The answer to a Member's question may be given orally and directly or by reference to published material of the Council or readily available to Members; or in writing to the Member concerned within five days (which shall be circulated to all Members).
- 9.5 The maximum time allowed for asking and answering questions under this standing order shall be thirty minutes, provided that the Mayor shall allow the process of asking and answering a question which is in progress when the time limit is reached to be completed.

Standing Order 10

Questions from Members of the Public

- 10.1 A member of the public may ask the Mayor or the Leader, or Executive Member or the chairman of any committee any question on any matter

where the Council has powers or duties or which affects the Borough, and the Mayor may ask another Member or officer of the Council to answer a question on his/her behalf.

- 10.2 Providing the question meets the requirements of paragraph 10.3 below, the ~~Chief Legal Officer~~*Head of Legal & Democratic Services* will provide a copy of each question to every Member attending the meeting.
- 10.3 A question must be given in writing to the ~~Chief Legal Officer~~*Head of Legal & Democratic Services* AT LEAST SEVEN CLEAR WORKING DAYS before the start of the meeting.
- 10.4 The question shall be put and answered without discussion. The person asking the question shall be allowed one further or supplementary question provided that it is relevant to the original question and does not introduce a new subject matter. Where a member of the public has given notice of more than one question, the first questions asked by all other members of the public shall be answered before second questions are answered, subject to paragraph 10.6 below.
- 10.5 The answer to a question shall be given orally and directly, but may be supplemented subsequently by more detailed written material.
- 10.6 The maximum time allowed for asking and answering questions under this standing order shall be thirty minutes, provided that the Mayor shall allow the process of asking and answering a question which is in progress when the time limit is reached to be completed.
- 10.7 The ~~Chief Legal Officer~~*Head of Legal & Democratic Services*, following consultation with the Mayor and the Leader, may reject a question under this Standing Order if it:
 - (a) is not about a matter for which the local authority has a responsibility or which affects the borough; or
 - (b) is defamatory, frivolous or offensive; or
 - (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
 - (d) requires the disclosure of confidential or exempt information.
- 10.8A.1 The Copeland Youth Council and the Joint Neighbourhood Forums may make representations or put questions to the Council on any matters in which the Council has powers or duties or which affects the borough, provided that written notice shall be sent to the ~~Chief Legal Officer~~*Head of Legal & Democratic Services* AT LEAST SEVEN

CLEAR WORKING DAYS before the date of the meeting, and circulated to all Members of the Council.

- 10.9A.2 A representative(s) of the Copeland Youth Council and the Joint Neighbourhood Forums may attend a meeting of the Council, and may speak in support of the representations or put questions for a period not exceeding ten minutes.

Standing Order -11

Minutes of Council Meetings

- 11.1 The Mayor will move that the minutes of the previous meeting of the Council be approved as a correct record.
- 11.2 Only the accuracy of the minutes may be discussed and then only by motion. As soon as any motion has been disposed of (or if no motion is moved) the Mayor will sign the minutes subject to any amendment set out in any motion approved by the Council.
- 11.3 Minutes shall be submitted to and signed at the next following ordinary meeting of the Council.

Standing Order 12

Rules of Debate at Council Meetings

Respect for Mayor

- 12.1 When the Mayor speaks during any meeting, any Member then speaking must immediately stop speaking, and the Council must be silent.
- 12.2 A Member, when speaking, must stand and address the Mayor.

Mayor to decide order of speaking

- 12.3 If two or more Members rise or indicate their wish to speak, the Mayor will call on one to speak and the other (or others) must then sit.

Only one Member to Stand

- 12.4 While a Member is speaking, all other Members must remain seated and silent UNLESS rising to a point of order or in personal explanation.

Motion or Amendment - Procedure

- 12.5 Before a Motion or amendment can be discussed at a Council meeting:
- a) It must be proposed and seconded; and
 - b) if the Mayor so requires, it must be put in writing by the proposer and handed to the Mayor.

Motion Relating to Committee Recommendations - Procedure

- 12.6 A Motion for the approval of recommendations contained in an Executive or Committee Report must be proposed and seconded before it is discussed.

Questions on Recommendations and Minutes

- 12.7 The Mayor or an appointee will then invite a motion to accept the Executive or Committee Report. Following the moving and seconding of a report, any Member may ask a question on or move an amendment to a recommendation or ask a question. When all questions and amendments have been dealt with, the Mayor will proceed to the next Report, as listed on the agenda, and no further motion or question can be taken on any preceding item of business.

Content of Amendment

- 12.8 An amendment must relate to the motion and:
- a) Refer a matter to the Executive (where it relates to executive functions) or a — committee, or refer back to the Executive or appropriate committee a matter — recommended to the Council; or
 - b) leave out words; or
 - c) add or insert words; or
 - d) leave out words and add or insert words;

- 12.9 BUT an amendment cannot have the effect of introducing a new proposal into, or reversing the meaning of the motion.

Content and Length of Speech

- 12.10 A Member's speech must be directed solely to the matter under discussion and must not last for more than five minutes, except by consent of the Council.

When a Member may speak again on a Motion

- 12.11 A Member who has spoken on any motion (and for this purpose each recommendation of a particular committee or any group of recommendations being taken together will be regarded as a separate

motion) must not speak again until the debate on the motion has finished EXCEPT:

- a) To speak once on an amendment moved by another Member; or
- b) if the motion has been amended since the Member last spoke, to move a further amendment; or
- c) if the Member's first speech was on an amendment moved by another Member, to speak on the main issue, whether or not that amendment was carried; or
- d) in exercise of a right of reply given by paragraphs 12.21 or 12.22 of this standing order; or
- e) on a point of order or by way of personal explanation (in accordance with paragraph 12.23 of this standing order; or
- f) to move or speak on a procedural motion set out in sub-paragraph (b), (g) or (h) of paragraph 12.15 of this Standing Order.

Debate on Amendment

12.12 Only one amendment may be moved and discussed at a time. No further amendment may be moved until the first amendment has been disposed of.

12.13 If an amendment is lost a further, different, amendment may be moved.

12.14 If an amendment is carried, the motion as amended takes the place of the original motion and becomes the motion upon which any further amendments may be moved.

Motions which may be moved during debate

12.15 When a motion is being debated, the only other motions which may be moved (either singly or combined and with any necessary added words) are:

- a) To amend the motion.
- b) To adjourn the meeting.
- c) To adjourn the debate.
- d) To move on to the next business.
- e) To put the question immediately to the vote.
- f) Not to hear a Member further.
- g) By the Mayor, to require a Member to leave the meeting.
- h) To exclude the public from the meeting under Section 100A(4) of the Local Government Act 1972.
- i) To suspend one or more standing orders.
- j) To extend the time limit for speeches.

- k) To give any consent required by these standing orders.

Closure Motions

12.16 At the conclusion of a speech of another Member, a Member may move without comment that:

- a) The debate be adjourned; or
- b) the Meeting be adjourned; or
- c) the Council proceed to the next business; or
- d) the question be put.

If the motion be seconded, the Mayor shall proceed as follows, if in the Mayor's opinion the question before the meeting has been sufficiently discussed:

- e) In the case of a motion under (a), (b) or (c) above, invite the mover of the original motion to reply and then put the closure motion to the vote; or
- f) in the case of a motion under (d) above, put the closure motion to the vote.

12.17 If the motion is carried, the question before the meeting shall (subject to the rights of speech or reply) be put to the vote or be deemed to be disposed of or the meeting or debate shall stand adjourned as the case may be.

Amendment of Motion by Proposer

12.18 A Member may with the consent of the Council:

- a) Alter a motion of which the Member has given notice; or
- b) with the further consent of the seconder, alter a motion which the Member has moved if (in either case) the alteration is one which could be made as an amendment to the motion.

Withdrawal of Motion by Proposer

12.19 A motion or amendment may be withdrawn by the proposer with the consent of the seconder and of the Council.

12.20 No Member may speak on a motion or amendment after the proposer has asked to withdraw it UNLESS permission has been refused.

Right of Reply - Proposer of Motion Only

12.21 Subject to the provision of Standing Order 12.16, the proposer of a motion has the right to reply at the close of the debate on the motion immediately before it is put to the vote.

12.22 Subject to the provision of Standing Order 12.16, at the close of a debate on an amendment:

- a) the proposer of the original motion has the right to reply; and
- b) the proposer of the amendment has no right to reply.

Personal Explanation and Points of Order

- 12.23 a) A personal explanation shall be confined to some material part of an earlier speech by the Member, on which a misunderstanding has occurred.
- b) A point of order is a request by a Member to the Mayor to rule on an alleged irregularity in the constitution of or procedure in the meeting.
- c) A Member may speak on a personal explanation or a point of order at any time and is entitled immediately to address the Mayor on the matter. BUT:
- (i) The Member who raises a point of order must specify immediately a standing order or statutory provision, and say how it has been broken or infringed; and
 - (ii) in either case, the Member's speech must be confined to the personal explanation or point of order.
- d) The ruling of the Mayor on a personal explanation or point of order is not open to discussion.

Disorderly Conduct

12.24 If the Mayor considers a Member's conduct disorderly, and so states to the Council, then the Mayor or any other Member may move "Not to hear a particular Member further". If seconded, the motion shall be put to the vote without discussion. Disregarding the ruling of the Mayor, wilfully obstructing its proceedings, or behaving improperly, offensively or irregularly shall, for these purposes, be considered disorderly conduct.

12.25 If the Member's disorderly conduct continues after the motion has been carried, the Mayor shall either:

- a) Require the Member to leave the meeting; or
- b) with the Council's consent, adjourn the Meeting to an appropriate time.

Voting

12.26 Members will vote by show of hands. BUT:

- a) If a Member so requests before the Mayor begins to take the vote, and the request is supported by six other Members (who will show their support by a show of hands):
 - (i) The ~~Chief Legal Officer~~*Head of Legal & Democratic Services* or his/her nominee will call the name of each Member; and
 - (ii) the Member will respond, for or against the Motion or abstaining; and
 - (iii) the ~~Chief Legal Officer~~*Head of Legal & Democratic Services* or his/her nominee will -record each Member's response.
- b) Where any Member so requires immediately after a vote has been taken, the Minutes must record that Member's vote, for, or against, or abstaining.

Standing Order 13

Time Limit on Meetings

13.1 Meetings of the Council and committees shall terminate after 3 hours and outstanding business shall stand referred to the next meeting unless the meeting resolves on a vote, without debate to:-

~~a)~~ *a)* Continue in the normal manner and complete the business remaining on the agenda;

or

~~a) b)~~ *b)* determine a later time as the time by when the meeting must finish and, if the business is not completed by that later time, resolve that it be then put to the vote without debate or deferred to another time;

or

c) if the nature of the business remaining permits, to vote on and determine that business without debate.

~~**S**~~ ~~standing Order 14~~

~~**Motions Affecting Persons Employed by the Council**~~

~~14.1 If any question arises on the appointment, promotion, dismissal, salary, superannuation, conditions of service or conduct of any Council employee, the Council must not discuss it until it has considered whether to exclude the public under Section 100A of the Local Government Act 1972.~~

Standing Order **154**

Rescinding an Earlier Resolution

~~15.1~~ **14.1** No motion or amendment by a Member to:

a) Rescind a decision made, or which would have the effect of rescinding a decision made, by the Council within the preceding six months; or

b) pass a motion or amendment which has the same effect as one which has been lost during the preceding six months;

shall be proposed unless notice thereof has been given in pursuance of Standing Order 8 and bears the name of one quarter of the Members of the Council. When any such motion 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.

Standing Order **1516**

Voting on Appointments

~~156.1~~ Where three or more persons are nominated for any position to be filled by the Council but there is no majority of the votes cast in favour of one candidate, then the candidate who received the least votes must be eliminated from the voting and a fresh vote taken and so on until a majority of votes is given in favour of one person.

Standing Order **167**

Record of Attendances

~~17.1~~ **16.1** The names of the Members present at a meeting of the Council or any of its committees or the Executive shall be recorded by the ~~Chief Legal Officer~~ *Head of Legal & Democratic Services* or his/her representative in an attendance book provided for that purpose.

Standing Order **178**

Meetings of the Executive and Committees

- 178.1 At their annual meeting the Council shall resolve what committees shall be appointed, what shall be the terms of reference of each, and of how many members each shall consist.
- 178.2 Subject to these standing orders, the arrangements referred to in 18.1 above may be reviewed and amended at any subsequent meeting of the Council.
- 178.3 Whenever the Council is required to review the allocation of seats on committees between political groups the ~~Chief Legal Officer~~*Head of Legal & Democratic Services* will submit a report to the Council showing what allocation of seats would best meet the requirements of section 15(4) of the Local Government & Housing act 1989; and the Council will so determine the allocation of seats to political groups.
- 178.4 A Member of the Council may attend a meeting of a committee of which he/she is not a member, or the Executive, and may speak with the chairman's consent, but not vote.
- 178.5 The right of attendance conferred by paragraph 18.4 above shall not include meetings of the Licensing Panel, Appeals Panel or Personnel Panel when any of these are dealing with matters of a quasi-judicial nature.
- ~~18.6~~17.6 The Council may fix the date, time, or place of ordinary meetings of the —committees and the Executive.
- ~~18.7~~17.7 The chairman or deputy chairman of a committee or the Mayor may call a —meeting of that committee at any time, and the Leader, or in the Leader's absence the Deputy Leader, may call a meeting of the Executive at any time
- 178.8 If the chairman and deputy chairman are absent or have not been appointed by the Council, a meeting of a committee shall appoint a Member to chair that meeting.
- ~~18.9~~17.9 At least five clear days before every meeting of a committee, or the Executive (or such later time as may be agreed by the chairman) the ~~Chief Legal Officer~~*Head of Legal & Democratic Services* will send to every Member of the Council, a copy of the agenda for the meeting, and the agenda shall include any item of business of which 14 clear days notice has been given to the ~~Chief Legal Officer~~*Head of Legal & Democratic Services* by a member of the committee, or the Executive.
- ~~18.10~~17.10 ~~T~~The Reports supporting each agenda item will accompany the agenda sent to every Member of the Committee or the Executive concerned. With the exception of Standing Panels and working parties, supporting reports will also be included for any other member (not a member of that Committee) or the Executive who has given prior notice that he/she wishes to receive them.

~~18.11~~17.11 In addition, a copy of any past or current agenda and/or any supporting report(s) for any committee, except Standing Panels and working parties, will be sent to any Member of the Council on request.

~~17.12~~18.12 The provisions of paragraph 18.9 above shall not apply to meetings of standing panels or working parties

~~18.12~~17.13 The General Standing Orders of the Council shall apply, so far as they are applicable, to the proceedings of committees and the Executive.

Standing Order ~~189~~

Urgent Business

(Note: This Standing Order does not apply to Executive meetings. See Executive Procedure Rules, Part 4)

~~18.11~~19.1 Where a matter which would normally be referred to a committee, requires an urgent decision the following procedure shall be followed where it is impractical to refer the matter to the committee

~~19.2~~18.2 —The appropriate Officer shall advise the chairman of the committee of all the relevant circumstances including the professional opinions of other officers —concerned and in particular those of the ~~Chief Finance Officer~~*Head of Finance & Business Development* and the ~~Head of Legal & Democratic Services~~*Chief Legal Officer*.

~~189.3~~ The appropriate officer shall then ask the chairman whether he/she agrees:

- a) That the circumstances justify urgent action without reference to the committee; and
- b) The nature and timing of the proposed action.

~~189.4~~ No such proposed action will be implemented without the chairman and officer agreeing both ~~189.3~~ (a) ~~and~~ ~~and~~18.3(b) above.

~~189.5~~ Where the chairman and officer do not agree both ~~189.3~~ (a) and ~~18.3~~ (b) above, the matter shall be referred to the next meeting of the appropriate committee.

~~189.6~~ A written record shall be made as soon as practicable of:

- a) Details of the action taken and why urgent action was appropriate; and
- b) Why a meeting of the committee, was impractical; and

- c) Which officers have been consulted and their views; and
- d) The discussion between the chairman and officer, the views of the chairman and the decision reached by the officer.

1 ~~89~~.7 This written record agreed and signed by the chairman shall form part |
of a report to the next meeting of the relevant committee.

~~19.8~~ 18.8 Matters which are referred to the Council itself shall not be dealt |
with under this standing order.

Standing Order ~~1920~~

Papers and Advice

~~1920~~.1 Before they conclude their consideration of any question, every committee shall, at his/her request, afford the ~~General Manager~~ *Chief Executive*, a Director or Service ~~HeadManager~~ (or another officer nominated by him/her) an opportunity to advise on that question, either in writing or orally.

~~1920~~.2 Where the Council considers a matter which has not previously been the subject of consideration by a committee and of a report by that body to the Council, the chairman presiding at the meeting at which the matter is considered shall ensure that the question is not put to the vote before any Director or Service ~~HeadManager~~ (including the head of the authority's paid service) whose responsibilities relate to the matter under consideration and who asks for such an opportunity has had an opportunity to advise the Council on the matter.

Standing Order ~~201~~

Interest of Officers in Contracts

21.1 The ~~Chief Legal Officer~~ *Head of Legal & Democratic Services* shall record particulars of any notice of pecuniary interest in a contract given by an officer, and such record shall be open to inspection by Members.

Standing Order ~~212~~

Disciplinary Action – Head of Paid Service, Monitoring Officer and Chief Finance Officer

~~212~~.1 No disciplinary action within the meaning of ~~Part 11 of~~ the Local Authorities (Standing Orders) Regulations ~~2001~~~~1993~~, in respect of the Head of the Paid Service, the Monitoring Officer and the Chief Finance Officer, except action described in paragraph 21.2 below, shall be taken by the Council or by a committee or sub committee or other person acting on their behalf, other than in accordance with the recommendation in a report made by a designated independent person under ~~Regulation 3~~ of the Regulations;

- 2 ~~12~~.2 The action mentioned in 21.1 above is suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension shall be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

Standing Order **2~~23~~**

Members' Access to Documents and Property

- 2 ~~23~~.1 A Member, for the purposes of his Membership but not otherwise, on application to the ~~Chief Legal Officer~~*Head of Legal & Democratic Services* may inspect any document which has been considered by a committee or by the Council, including background papers, and if copies are available shall on request be supplied for the like purposes with a copy of such a document.

PROVIDED that a Member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he is professionally interested or in which he has any prejudicial interest within the meaning of paragraph 10 of the Council's Code of Conduct for Members, and that this standing order shall not preclude the Proper Officer from declining to allow inspection of any document which is or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client.

- 2 ~~23~~.2 All reports other than reports containing exempt information as defined in Schedule 12A of the Local Government Act 1972 as amended, made or minutes kept by any committee shall, as soon as the committee has concluded action on the matter to which such reports or minutes relate, be open for the inspection of any Member of the Council.

PROVIDED that nothing in this standing order shall be taken as overriding the rights of any Member under Section 100F of the Local Government Act 1972, and that any decision by the ~~Chief Legal Officer~~*Head of Legal & Democratic Services* shall, if required by the Member concerned, be reported to the Council.

Standing Order **2~~34~~**

Seal of the Council

- 2 ~~34~~.1 The common seal of the Council shall be kept in a safe place in the custody of the ~~Chief Legal Officer~~*Head of Legal & Democratic Services* or his/her nominee.

~~23.2~~ ~~24.2~~ —The common seal of the Council shall be affixed to a document only on ~~the authority of:~~

~~a) a resolution of the Council;~~

~~a) A resolution of the Council; or~~

b) a resolution of the Executive or a committee which the Council has empowered to authorise the use of the seal;

c) a decision by the Council, or the Executive or by a duly authorised committee, or officer, to do anything where a document under the common seal is necessary to complete the action.

~~24.3~~ ~~23.3~~ —The affixing of the common seal shall be attested by the ~~Head of Legal & Democratic Services~~ ~~Chief Legal Officer~~ or some other person authorised by him or her. An entry of every ~~sealing~~ of a document shall be made, and numbered consecutively, in a ~~book~~ kept for the purpose.

Sstanding Order ~~24~~ **25**

Attestation of Documents

~~24.5~~.1 In addition to any other person who may be authorised by resolution of the Council for the purpose, the proper officer for the purpose of section 234 of the 1972 Act (authentication of documents) shall be the ~~Chief Legal Officer~~ ~~Head of Legal & Democratic Services~~, the Head of the Paid Service, any Director of the Council concerned with the matter to which the document relates or any officer authorised in writing by the Head of Paid Service ~~or a Director~~ or authorised by the Council.

Sstanding Order ~~25~~ **26**

Variation, Revocation & Suspension of Standing Orders

~~25.6~~.1 Any motion to vary or revoke these standing orders when proposed and seconded shall stand referred to the Executive

~~26.2~~ ~~25.2~~ —Standing Orders 1, 2, 4, 5, 10, 11, 12.1 to 12.8 and 12.22 to 12.25, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25 and 26 are not capable of being suspended

~~25.6~~.3 Any of the other standing orders may be suspended provided that either:

- a) Notice has been included in the agenda for the meeting of the intention to move such suspension; or
- b) at least one half of the number of Members of the Council are present.

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