

Standing Orders for the Conduct of Business

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Standing Orders for the Conduct of Business

4.1 Constitution of the Hereford and Worcester Fire Authority

The Combined Fire Authority shall be constituted as required by Statutory Instrument 1997 No 2700 The Hereford and Worcester Fire Services (Combination Scheme) Order 1997.

The areas of the Council of the District of Herefordshire (The Herefordshire Council) and the Council of the County of Worcestershire (Worcestershire County Council) form the Combined Area for which the Hereford and Worcester Fire Authority is responsible.

The Herefordshire Council and Worcestershire County Council are the constituent authorities.

4.1.2 (a) The Authority shall consist of not more than 25 Members save that, where the minimum number of Members of the Authority resulting from the operation of **Standing Order 4.1.3** would be greater than 25, the Authority shall consist of that number of Members.

(b) Each Member of the Authority shall be appointed by a constituent authority from its own Members.

4.1.3 Each constituent authority shall, so far as is practicable, appoint such number of representatives to be Members of the Authority as is proportionate to the number of local government electors in its area in relation to the number of such electors in each of the other constituent authorities' areas.

4.1.4 A Member of the Authority shall come into office on the date of their appointment and shall, subject to **Standing Orders 4.1.5 to 4.1.7**, hold office for such period or periods as shall be determined by the constituent authority which appoints them.

4.1.5 A Member of the Authority may resign their membership by giving notice in writing to that effect to the Clerk of the Authority.

4.1.6 (a) A Member of the Authority who ceases to be a Member of the Herefordshire Council or Worcestershire County Council that appointed them shall cease to be a Member of the Authority.

(b) A person shall be disqualified from being a Member of the Authority if they hold any paid office or employment (other than the office of Chair or Vice-Chair), appointments to which are or may be made or confirmed by the Authority, by any committee of the Authority or by a joint committee or board on which the Authority are represented

(c) No employee of the Brigade shall be a Member of the Authority.

4.1.7 (a) Subject to sub-paragraph (b), if a Member of the Authority resigns, becomes disqualified or otherwise ceases to be a Member of the Authority before the expiry of their period of office, the council which appointed them shall appoint a representative to replace them, who shall come into office on the date of their appointment and, unless they resign, become disqualified or otherwise cease to be a Member of the Authority, shall hold office for the remainder of the period for which their predecessor would have held office had they not resigned, become disqualified or otherwise ceased to be a Member of the Authority.

(b) If a Member of the Authority resigns, becomes disqualified or otherwise ceases to be a Member of the Authority within six months before the end of their period of office, the council which appointed them shall not be required to appoint a representative to replace them for the remainder of such period unless, on the occurrence of the vacancy (or in the case of a number of simultaneous vacancies, the occurrence of the vacancies) the total number of unfilled vacancies in the Membership of the Authority exceeds one third of the number of Members of the Authority referred to in **Standing Order 4.1.2**.

4.2 Place, Time and Venues of Meetings

4.2.1 The Authority shall meet four times every year, the annual meeting to be held in June. Dates and times of meetings will be set by the Chief Fire Officer in consultation with the Clerk to the Authority

4.2.2 The annual meeting will normally be held in Hereford and the other three quarterly meetings normally in Worcester, or at any place deemed suitable by the Chair.

4.3[✓] Calling of Meetings

4.3.1 The Chair of the Authority or, if the office of Chair is vacant, or the Chair is not available, the Vice-Chair of the Authority may call an extraordinary meeting of the Authority at any time.

4.3.2 Any five Members may call an extraordinary meeting of the Authority where the Chair, or the Vice-Chair if the office of Chair is vacant:-

(a) Refuses to call a meeting of the Authority after a requisition for that purpose specifying the nature of the important or urgent business, having been signed by five councillors, has been presented to them.

(b) Fails to call a meeting within seven days of such requisition being presented to them.

4.3.3* At least five clear days before the day of a meeting of the Authority:-

(a) Notice of the time and place of the intended meeting shall be published at the headquarters of Herefordshire Council, Worcestershire County Council and Hereford and Worcester Fire Brigade and where the meeting is called by Members the notice shall be signed by those Councillors and shall specify the business to be transacted.

(b) A summons to attend the meeting, specifying the business proposed to be transacted and signed by the Clerk to the Authority shall be left at or sent by post to the usual place of residence of every Authority Member.

Provided that:-

4.3.4 (a)* The period of "five clear days", excludes any day which is a Saturday, Sunday or is to be observed as a Bank Holiday under the Banking and Financial Dealings Act, 1971 in England and Wales.

(b) Inadvertent want of service of the summons on any Member shall not affect the validity of a meeting.

(c) No business shall be transacted at a meeting called by Members other than that specified in the summons published under **Standing Order 4.3.3 (a)** above.

(d) If a Member gives notice in writing to the Clerk to the Authority that they desire summonses to attend meetings of the Authority to be sent to them at some address other than their usual place of residence, any summons addressed to them and left at or sent by post to that address shall be deemed sufficient service of the summons.

4.3.5 The proceedings of the Authority shall not be invalidated by any vacancy or defect in the appointment of any Member.

4.3.6* Attendance of officers at meetings is at the discretion of the Authority subject to any rights of the Monitoring Officer and the Treasurer as the Chief Finance Officer under S151 of the Local Government Act 1972 to attend

4.3.7* An item of business may not be considered at a meeting of the Authority unless either:

a) A copy of the agenda including the item (or a copy of the item) is open to inspection by Members of the public for at least five clear days before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or

b) By reason of special circumstances, which shall be specified in the Minutes, the person chairing the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

4.4* Admission of the Public and Press

4.4.1 The public shall be admitted to all the meetings of the Authority unless excluded by resolution in accordance with the provisions of the Local Government Act 1972.

4.4.2 The press and public shall be excluded for the whole or any part of the proceedings if a motion in one of the following forms, duly moved and seconded, is carried:-

(a) To exclude the public and representatives of the press from the meeting during consideration of item(s) on the agenda on the grounds that the item(s) involve(s) a likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972.

(b) To exclude the public and representatives of the press from the meeting during the consideration of item(s) on the agenda on the grounds that there would be a disclosure of confidential information furnished to the Authority by a Government Department on terms which forbid its disclosure to the public.

(c) To exclude the public and representatives of the press from the meeting during consideration of items on the agenda, on the grounds that there would be a disclosure of confidential information prohibited by statute or by order of a Court.

4.4.3 The business that is the subject of the resolution shall normally stand adjourned until all other business of the meeting has been transacted whereupon the public shall leave the meeting and the adjourned business shall be considered, unless in the opinion of the Chair this would prejudice the proper conduct of the business.

4.4.4 The Chair may give the Clerk to the Authority directions as to arrangements for the admission of the public.

4.4.5 With the knowledge of the Authority, tape or video recorders, transmitters, microphones, cameras or similar equipment shall be permitted at meetings of the Authority unless the Chair decides otherwise.

4.5* Identification of Reports Containing "Confidential" or "Exempt" Information

4.5.1✓ Reports for Committees where the relevant part of the meeting is not open to the public, shall be marked as appropriate:-

- "Confidential - Not for Publication", as required by Section 100(A)(2) of the Local Government Act 1972.
- "Not for Publication" and shall state the description, contained in Schedule 12A to the Local Government Act 1972, of the exempt information to which the report relates.

4.5.2 All items where it is likely that the public shall be excluded from the meeting should normally be grouped at the end of the agenda for the meeting, unless in the opinion of the Chair this would prejudice the proper conduct of the business, and the agenda shall indicate that the public are likely to be excluded from the meeting during the discussion of these items.

4.6✓* Public Inspection of Agenda and Reports

4.6.1 Copies of the agenda and those reports which relate to items during which the meeting is open to the public, shall be open to inspection by members of the public after having been made available to Members of the Authority and a reasonable number of such copies shall be available for the public attending meetings. Such agenda and reports shall be kept available for public inspection for a minimum of six years from the date of the meeting.

4.7✓* Public Inspection of Minutes

4.7.1 The minutes of meetings that were open to the public (including non-confidential summaries of minutes containing confidential or exempt information as defined under Section 100A of the Local Government Act 1972), shall be available to the public after having been made available to Members. Such minutes shall be kept available for public inspection for a minimum of six years from the date of the meeting.

4.8✓* Public Inspection of "Background Papers"

4.8.1 Where the whole or part of a meeting has been open to the public, copies of background papers listed in the reports, excluding those papers that reveal confidential or exempt information, shall be available for inspection by members of the public for a minimum of four years from the date of the meeting.

4.9✓* **Press Notification**

4.9.1 Copies of the agendas, reports, minutes and other papers required to be open to the public (and background papers on request) of meetings, shall be available to the press on the same terms as they are available to the public.

4.10✓* **Record of Attendance**

4.10.1 An attendance sheet shall be provided at every meeting of the Authority and its committees on which every Member present shall sign their name legibly, formally registering their attendance.

4.11✓ **Quorum**

4.11.1 At a meeting of the Authority, subject to the provisions of paragraphs 6 and 45 of Schedule 12 to the Local Government Act 1972, the quorum shall be one third of the total number of Members of the Authority or such greater number of Members as the Authority may determine, including at least one representative from each constituent Authority.

4.11.2 No business should be transacted without a quorum as defined in **Standing Order 4.11.1**. If during a meeting the Chairman declares that there is not a quorum present the meeting shall stand adjourned to a date fixed by the Chairman at the time the meeting is adjourned. If the Chairman does not fix a date, the business remaining to be conducted shall be considered at the next meeting.

4.12✓ **Election of Chair and Vice-Chair**

4.12.1 The Authority shall elect a Chair and may elect a Vice-Chair, from among its Members.

4.12.2 The Chair and the Vice-Chair, if elected, shall, subject to **Standing Order 4.1.4 – 4.1.7** above, hold office for such period not exceeding one year as the Authority shall determine.

4.12.3 The Authority shall not prevent a person who holds or has held office as Chair or Vice-Chair, as the case may be, from being elected or re-elected to either of those offices.

4.12.4 In the event of a vacancy occurring in the office of Chair or Vice-Chair, the Authority shall elect from its Members a person to replace the Chair and may so elect a person to replace the Vice-Chair, as the case may be.

4.12.5 The election to replace the Chair under **Standing Order 4.12.4**, shall take place not later than the next following ordinary meeting of the Authority.

4.12.6 Where there are more than two persons nominated for any position to be filled (including any Chairmanship or Vice-Chairmanship) and there is not a clear majority of all votes cast in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until one person receives a majority of all the votes cast. The voting may take place by ballot, if the authority so determine. In the case of an equality of votes for two or more candidates the Chair shall have a second or casting vote.

4.12.7 The Chair if present shall preside

4.12.8 If the Chair is absent the Vice-Chair if present shall preside

4.12.9 If the Chair and Vice-Chair are absent a temporary chairman shall be chosen for that meeting from the voting membership then present.

4.13 Order of Business

4.13.1 The order of business at a meeting of the Authority except where varied in accordance with **Standing Order 4.17** below shall be:

4.13.1.1 At an annual meeting and any other meeting where for some reason it is necessary, to elect a Chair and a Vice-Chair.

4.13.1.2 To choose a person to preside if the Chair and Vice-Chair of the Authority are not present.

4.13.1.3 To deal with any business required by statute to be done before any other business of the Authority

4.13.1.4 To invite any Member to declare any interest in any item on the agenda.

4.13.1.5 To approve as a correct record and sign the minutes of the last meeting of the Authority.

4.13.1.6 To deal with questions from Members of the public as defined in **Standing Order 4.20**.

4.13.1.7 To consider such communications as the Chair may desire to put before the Authority.

4.13.1.8 To consider items from the agenda as listed subject to any variation to the Order in accordance with **Standing Order 4.17** and to consider questions put to the Chair from Members under **Standing Order 4.19**.

4.13.1.9 Any other business specified in the summons or required by law to be dealt with.

4.14* Minutes

- 4.14.1✓ Minutes of the proceedings of each meeting of the Authority shall be prepared and entered in a book kept for that purpose, and shall be signed as a correct record at the same or next suitable meeting of the Authority by the person presiding with the agreement of Members present, and any minute purporting to be so signed shall be received in evidence without further proof.
- 4.14.2✓ Where a meeting of the Authority is called under **Standing Order 4.3.2** (extraordinary meetings) and Schedule 12 of the Local Government Act 1972, the next following meeting of the Authority (not being an extraordinary meeting) shall be treated as a suitable meeting for the purposes of the signing of the minutes under **Standing Order 4.14.1**.
- 4.14.3 No discussion shall take place on the minutes except on their accuracy and any question of their accuracy shall be raised by motion.
- 4.14.4✓ Until the contrary is proved, a meeting of the Authority 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, where a minute of those proceedings has been made and signed in accordance with this order.
- 4.14.5 The minutes of the business considered and decisions reached at each meeting of the Authority shall be printed and a copy sent to each Member with, or prior to, the summons to attend the next meeting of the Authority.

4.15* Voting

- 4.15.1✓ All matters considered at a meeting shall be decided by a majority of the Members present and voting and in the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote.
- 4.15.2 The Authority shall normally vote upon matters (except where by law otherwise provided) by a show of hands, but on demand of four Members of the Authority, the names of the Members present and their votes shall be taken by the Clerk to the Authority and recorded in the minutes.
- 4.15.3✓ Where a Member so requests immediately after a vote is taken at a meeting of the Authority, there shall be recorded in the minutes of that meeting whether the Member voted for the issue, against the issue or abstained from voting.
- 4.15.4✓ In the event of an equality of votes the Chair of the meeting shall have a second or casting vote.

4.16* Adjournment of Meetings

4.16.1 Notwithstanding anything contained in these Standing Orders, the Chair shall have discretion to order an adjournment at any meeting.

4.17 Variation in Order of Business

4.17.1 A motion to vary the order of business

(a) shall not displace business falling under **Standing Orders 4.13.1.1, 4.13.1.2 and 4.13.1.3**, may, when an item of business on the agenda has been disposed of, be moved either by the Chair or by any Member.

(b) shall be put to the vote without discussion.

4.18 Notices of Motion

4.18.1 (a) Notice of every motion (other than a motion, which, under **Standing Order 4.18.7** may be moved without notice) shall be given in writing and signed by the Member or Members giving the notice, and delivered to the Clerk to the Authority at least seven clear days before the next meeting of the Authority. The Clerk to the Authority shall date motions received, number them in the order in which they are received, and enter them into a book which shall be open to the inspection of every Member

(b) Every entry in the book which relates to a notice of motion not subsequently accepted, in accordance with **Standing Order 4.18.2** shall be endorsed accordingly by the Clerk to the Authority.

(c) A notice of motion shall state whether the Member submitting it intends to move that it be treated as urgent for the purpose of **Standing Order 4.18.6**. Failure to comply with this requirement shall not preclude the Member concerned, when the motion comes before the Authority, from moving that it be treated as urgent in view of changed circumstances since the motion was submitted.

4.18.2 Notices of Motion Not Accepted

On receipt of a notice of motion under **Standing Order 4.18**, the Chair of the Authority, after consultation with the Clerk to the Authority, has discretion not to accept the notice of motion and to rule that the matter be dealt with at an appropriate point in the meeting. The Clerk to the Authority shall then advise the Member who has submitted the notice of motion, of the agenda item on which the matter in question will be raised during debate.

4.18.3 Motions to be Set Out in Summons

The Clerk to the Authority shall set out in the summons for every meeting of the Authority, all motions of which notice has been duly given, in the order in which they have been received, including those subsequently not accepted under **Standing Order 4.18.2** unless the Member of the Authority giving such notice intimated in writing at the time of submission, that they proposed to move it at some later meeting or has since withdrawn it in writing. For those motions not accepted under **Standing Order 4.18.2** the summons shall indicate the agenda item on which the matter in question may be raised.

4.18.4 Motions Not Moved

If a motion that is set out in the summons is not moved by the Member of the Authority who gave relevant notice, it shall, unless postponed by consent of the Authority, which shall be signified without discussion, be treated as withdrawn and shall not be moved without fresh notice.

4.18.5 Scope of Motions

Every motion shall be relevant to some matter in relation to which the Authority has powers or duties or which affects the Fire Service in Herefordshire and Worcestershire.

4.18.6 Motions and Urgency

(a) When the Authority is considering a motion for urgency in respect of a motion for which notice has been given:

(i) the proposer may speak only in support of the urgency of the matter and not in support of the substantive motion except to explain changed circumstances where prior notice under **Standing Order 4.18.1(c)** has not been given.

(ii) the Authority may, with the consent of the Chair, put to the mover of the motion questions of fact to establish the grounds of urgency.

(b) If the Authority agrees upon a motion for urgency moved and seconded and put to the meeting without debate, it shall, after the proposer and, subject to **Standing Order 4.21.1 and 4.21.2**, the seconder have spoken in support, deal with the motion.

(c) If urgency is not requested or agreed by the Authority, the motion, after being moved and seconded, shall stand referred without debate, for consideration and report back to the next appropriate meeting of the Authority.

4.18.7 Motions Which May be Moved Without Notice

The following motions may be moved without notice:

- (a) Election of the Chair of the meeting at which the motion is moved.
- (b) That an item of business specified in the summons has precedence.
- (c) Reference or reference back to a committee.
- (d) That a motion should be treated as urgent for the purposes of **Standing Order 4.18.6(c)**.
- (e) Adoption of recommendations of committees or officers and any consequent resolutions.
- (f) That leave be given to withdraw a motion.
- (g) Amendments to motions.
- (h) That the Authority proceed to the next business item.
- (i) That the question under debate be now put to the vote.
- (j) That the debate be now adjourned.
- (k) That the Authority do now adjourn or that the meeting be suspended.
- (l) Authorising the sealing and signing of documents.
- (m) The suspension of Standing Orders in accordance with **Standing Order 40**.
- (n) A motion under Section 100A of the Local Government Act 1972, to exclude the public.
- (o) A motion under **Standing Order 4.15** as to the recording of votes.
- (p) That a Member of the Authority or a member of the public named under **Standing Order 4.22 or 4.23** be not further heard or do leave the meeting.
- (q) To give the consent of the Authority where required by these Standing Orders.

4.19 Formal Questions from Members of the Authority

- 4.19.1 A Member of the Authority may ask through the Chair any question upon any item in any recommendation or report when the item is under consideration.

- 4.19.2 Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer.
- 4.19.3 The Chair may ask another Member or Officer to reply on their behalf.
- 4.19.4 An answer may take the form of:
- (a) A direct oral answer;
 - (b) Where the desired information is contained in a publication, a reference to that publication;
 - (c) Where the reply to the question cannot conveniently be given orally, a written answer shall be sent to the questioner. If the Authority so require, such written answers may be circulated to all Members; otherwise the Clerk or Chief Fire Officer shall make such written answers available to any Member, on request.

4.20 Formal Questions from Members of the Public

- 4.20.1 A member of the public may ask any questions or submit a petition relevant to a matter in relation to which the Authority has powers and duties as long as a copy of that question or petition is deposited with the Clerk more than five clear working days before the meeting.
- 4.20.2 No supplementary questions may be asked.
- 4.20.3 A maximum of 15 minutes shall be set aside for the answering of questions from members of the public. Any questions unanswered at the expiry of the time limit shall be dealt with by way of written reply to the questioner.
- 4.20.4 The Clerk may reject any question which contains defamatory material or the publication of which is likely to be detrimental to the Authority's interests.
- 4.20.5 The Clerk will read the questions to the meeting in the order in which they are received and they will be answered in that order. Questions may be edited at the Clerk's discretion in particular if the question is a lengthy one.
- 4.20.6 Copies of the questions will be circulated with the agenda for the meeting and made available to the press and public.
- 4.20.7 In the case of duplication of questions, in the opinion of the Clerk, only the first received shall be included.

- 4.20.8 Where information contained in a question is contained in any of the Authority's publications, a referral to that publication will constitute a sufficient reply.
- 4.20.9 A copy of any information supplied to a member of the public in pursuance of this standing order shall, subject to Section 100A of the Local Government Act 1972, be available for inspection by the press and public.
- 4.20.10 For the purposes of this Standing Order a member of the public shall not include an employee of the Authority.
- 4.20.11 Any question asked and the reply shall be recorded in the Minutes of the Authority.

4.21* Rules of Debate

- 4.21.1 A motion or amendment shall not be discussed unless it has been proposed and seconded and it shall, if required by the Chair, be put into writing and handed to the Chair before it is further discussed or put to the meeting. Provided that a motion that:-

- (a) recommendations of the Authority be adopted;
- (b) a report of a Committee be received;
- (c) a named Member should leave the meeting (in accordance with **Standing Order 4.22.2**)

shall not require to be seconded.

- 4.21.2 **Seconders' speech:**
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.

- 4.21.3 **Only one member to speak at a time:**
A Member when speaking shall address the Chair. If two or more Members indicate a wish to speak, the Chair shall call on one to speak; the other or others shall then be silent. While a Member is speaking the other Members shall remain silent, unless indicating a point of order in personal explanation.

- 4.21.4 **Content and length of speeches:**
A Member shall direct their speech to the question under discussion or to a personal explanation or to a point of order. Unless the Chair decides otherwise in a particular case, each speech shall be limited to five minutes. A person exercising a right of reply shall be limited in their reply to five minutes.

- 4.21.5 **When a Member may speak again:**
A Member who has spoken on any matter shall not speak again whilst that matter is the subject of debate, except:-
- (a) in exercise of a right of reply given by **Standing Order 4.21.10** of this Standing Order;
 - (b) on a point of order;
 - (c) by leave of the Chair, by way of personal explanation.
- 4.21.6 **Amendments to motions:**
An amendment shall be relevant to the motion and shall be either:-
- (a) to refer a subject of debate to a Committee for consideration or re-consideration;
 - (b) to leave out words;
 - (c) to leave out words and insert or add others;
 - (d) to insert or add words;
- but such omission, insertion or addition of words shall not have the effect of negating the motion before the Authority.
- 4.21.7 Only one amendment may be moved and discussed at any time and no further amendment shall be moved until the amendment under discussion has been disposed of, but notice of any number of amendments may be given. Provided that the Chair may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest to them that this course would facilitate the proper conduct of the Authority's business.
- 4.21.8 If an amendment be lost, other amendments to the original motion may be moved. If an amendment be carried, the motion as amended shall take the place of the original motion and shall (without any formal vote to this effect) become the substantive motion upon which any further amendment may be moved.
- 4.21.9 **Withdrawal of Motion:**
The mover may, with the consent of the seconder, withdraw a motion or amendment and no person may thereafter speak upon it.
- 4.21.10 **Rights 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. A reply shall be strictly confined to answering previous speakers and shall not introduce new matters. The mover of the amendment shall have a right of reply to the debate on his or her amendment, before the mover of the original motion.

4.21.11 **Motions which may be moved during debate:**

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

- (a) to amend or alter the motion;
- (b) to adjourn the meeting;
- (c) to adjourn the debate;
- (d) that the question be now put;
- (e) that a Member be not further heard.
- (f) by the Chair under **Standing Order 4.22.2** that a Member do leave the meeting;
- (g) a motion under Section 100A of the Local Government Act 1972 to exclude the public.

4.21.12 **Closure Motions:**

A Member may move without comment at the conclusion of a speech of another Member, "That the Authority proceed to the next business", "That the question be now put", "That the debate be now adjourned", or "That the Authority do now adjourn", on the seconding of which the Chair shall proceed as follows:-

- (a) on a motion to proceed to next business: unless in their opinion the matter before the meeting has been insufficiently discussed, they shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;
- (b) on a motion that the question be now put: unless in their opinion the matter before the meeting has been insufficiently discussed, they shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion their right of reply under **Standing Order 4.21.10** before putting their motion to the vote;
- (c) on a motion to adjourn the debate or the meeting: if in their opinion the matter before the meeting has not been sufficiently discussed on that occasion they shall put the adjournment motion to the vote without giving the mover of the original motion his/her right of reply on that occasion;
- (d) provided that if any of the motions contained in this paragraph be put and negated, the same motion shall not be moved in respect of the same business, question, debate or meeting (as the case may be) within a period of thirty minutes without leave of the Chair.

- 4.21.13 **Points of Order:**
A Member may rise on a point of order and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify (including by number if so required by the Chair) the Standing Order or statutory provision and the way in which they consider it has been broken.
- 4.21.14 **Personal Explanations:**
A Member may rise in personal explanation and with the approval of the Chair shall be entitled to be heard forthwith. A personal explanation shall be confined to some material part of a former speech by them that may appear to have been misunderstood in the present debate.
- 4.21.15 **Respect for the Chair:**
Whenever the Chair rises during a debate any Member then standing shall resume his seat and all other Members shall be silent.
- 4.22* Improper Conduct**
- 4.22.1 If at a meeting any Member, in the opinion of the Chair and notified to the Authority, misconducts themselves by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Authority, the Chair 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 discussion.
- 4.22.2 **Continuing misconduct by a named Member:**
If the Member named continues their misconduct after a motion under **Standing Order 4.22.1** has been carried, the Chair shall:
Either move "that the Member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion);
Or adjourn the meeting of the Authority for such a period as they consider expedient.
- 4.22.3✓ **General disturbance:**
In the event of a general disturbance, which, in the opinion of the Chair, renders the proper conduct of business impossible, the Chair in addition to any other power vested in them may adjourn the meeting of the Authority for such a period as they consider expedient.

4.23* Disturbance by Members of the Public

- 4.23.1 If a member of the public interrupts the proceedings at any meeting the Chair shall warn them. If they continue the interruption the Chair shall order their removal from the meeting room. In the case of general disturbance in any part of the meeting room open to the public the Chair may order that part to be cleared.
- 4.23.2 In the event of persistent disruption by members of the public, the Chair may order that the public be excluded, and may for that purpose adjourn the meeting for such period as they may consider necessary.

4.24* Motion to Rescind

- 4.24.1 Without prejudice, the mover may with the consent of the seconder, withdraw a motion or amendment and no person may thereafter speak upon it.

4.25* Interests of Members

- 4.25.1 A Member who has a **personal interest** (as defined in the Authority's Code of Conduct) in a matter who attends a meeting of the Authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- 4.25.2 A councillor who has a **personal interest** which is also a **prejudicial interest** (as defined in the Authority's Code of Conduct) must
- withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at the meeting unless they have obtained a dispensation from the Standards Committee; and
 - not seek improperly to influence a decision about that matter.
- 4.25.3 Whenever a Councillor orally discloses an interest and either withdraws or states that their disability is removed by dispensation of the Standards Committee the disclosure and withdrawal or dispensation shall be recorded in the minutes of the meeting.
- 4.25.4 In accordance with the Local Authorities (Model Code of Conduct) (England) Order 2001 each councillor must, within 28 days of their election or appointment to office (if that is later) register their financial and other interests in the Authority's Register by providing written notification to the Monitoring Officer of those interests as prescribed in the Order.

- 4.25.5 The Register maintained by the Monitoring Officer will be available for public inspection at the office of the Monitoring Officer during office hours

4.26 Members' Rights to Inspect Documents – Rules of Procedure

- 4.26.1 All agenda papers, minutes, and identified background papers relating to business at meetings of the Authority shall be open to inspection by any Member except where the business concerns a quasi-judicial matter or personal information supplied in confidence, or relates to legal proceedings by or against the Authority.

- 4.26.2 (a) A member of the Authority wishing to inspect any other document not covered in **Standing Order 4.26.1** should make a written request to the Chief Fire Officer.

(b) At the Chief Fire Officer's discretion, after consultation with the Chair and/or the Clerk where appropriate, the document shall be produced for inspection, subject to the proviso that under certain circumstances (e.g. issues of confidentiality) inspection by a Member may only be permitted with a clear understanding that the contents should not be passed to any other party and noting that Members of the Authority are bound by the Data Protection Act 1998.

4.27 Custody of Seal

- 4.27.1 The Common Seal of the Authority shall be kept in a safe place in the custody of the Clerk to the Authority.

4.28 Sealing of Documents

- 4.28.1 In any case where it is necessary that the Common Seal of the Authority should be affixed to any document to give effect to a resolution of the Authority (or any decision of a Committee or of an Officer of the Authority where that Committee or Officer has the power), that resolution (or decision) shall be of a sufficient authority for sealing that document.

- 4.28.2 The affixing of the seal shall be attested either by the Clerk to the Authority or any person authorised by him present at the sealing, and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be initialled by the person who has attested the affixing of the seal.

4.29 Authentication of Documents

4.29.1 The Monitoring Officer and any person authorised by that person shall be a Proper Officer of the Authority for the purposes of authentication of documents in accordance with the Local Government Act 1972.

4.29.2 Without prejudice to the generality of **Standing Order 4.29.1** hereof, where any document will be a necessary step in legal proceedings on behalf of the Authority, it shall be signed by the Clerk or a person authorised by them unless any enactment otherwise requires or authorises, or the Authority give the necessary authority to some other person for the purpose of such proceedings.

4.30✓ Standing Orders To Be Given To Councillors

4.30.1 A printed copy of these Standing Orders shall be given to each Member of the Authority by the Clerk upon their appointment to the Authority.

4.31* Changes to Standing Orders

4.31.1 Any motion (other than a recommendation contained in a report to the Authority) to add to, vary or revoke any of these Standing Orders, shall, after being moved and seconded, stand referred without discussion for consideration and report to a future meeting of the Authority.

4.32 Appointment of Committees

4.32.1 The Authority shall at its annual meeting appoint any statutory standing committees, and such other committees as are necessary to carry out the work of the Authority, and may at any time appoint such other Committees as it considers necessary. All committees, except where statute otherwise provides, shall be constituted in accordance with the requirements of the Local Government and Housing Act 1989 with regard to "political proportionality". Unless otherwise provided by Standing Orders and subject to any statutory provision:-

- a) Each member of a committee shall hold office until the next annual meeting of the Authority held following the date of their appointment; save that
- b) The Authority may at any time dissolve a committee or alter its membership.

c) In accordance with the Local Government and Housing Act 1989, the Authority shall review annually at or after its annual meeting, representation of its different political groups on its committees and other bodies, as appropriate.

4.33 Appointment of Chairs of Committees

4.33.1 The Authority will normally appoint the Chairs and Vice-Chairs of Committees at its annual meeting

4.33.2 Subject to these appointments not having been made by the Authority at the Annual Meeting, at their first meeting after the annual meeting of the Authority each of the Committees shall appoint a Chair and if they think fit, a Vice-Chair for the year before proceeding to any other business.

4.33.3 In the event of an equality of votes or more than two nominees for a position voting will be conducted in accordance with **Standing Order 4.12.6**.

4.33.4 The Chair and Vice-Chair shall be appointed from among the Members of the authority serving on the particular Committee.

4.33.5 The Chair and Vice-Chair shall unless they resign or become disqualified hold office until their successors are appointed.

4.33.6 In the event of a vacancy occurring in the office of Chair or Vice-Chair, the Committee shall elect from its Members a person to replace the Chair and may so elect a person to replace the Vice-Chair, as the case may be.

4.33.7 The election to replace the Chair under **Standing Order 4.33.6**, shall take place not later than the next following ordinary meeting of the Committee.

4.33.8 The Chair if present shall preside

4.33.9 If the Chair is absent the Vice-Chair if present shall preside

4.33.10 If the Chair and Vice-Chair are absent a temporary Chair shall be chosen for that meeting from the voting membership then present

ORDERS APPLYING TO COMMITTEES

4.34 Quorum of Committees

4.34.1 Except where authorised by statute, or required by the Authority business shall not be transacted at a meeting of any Committee unless at least one third of the whole number of the committee is present. In no case shall the quorum of a committee, or working group be fewer than three Councillors.

4.34.2 For the purpose of calculating the quorum, if the voting membership of the committee or working group is not divisible by three the quorum shall be one-third of the lowest number divisible by three above the voting membership of the Committee.

4.35 Meetings of Committees

4.35.1 Dates and times of meetings of Committees will be set by the Chief Fire Officer in consultation with the Clerk to the Authority.

4.35.2 The Chair of a Committee may convene a special meeting of the committee at any time.

4.36 Right to Attend Meetings

4.36.1 Any Member of the Authority may attend a meeting of any committee, of which they are not members, except where the business concerns a quasi judicial matter or information of a personal nature supplied in confidence or relating to legal proceedings by or against the Council, and may receive any relevant papers on request.

4.36.2 A Councillor's attendance in the circumstances in **Standing Order 4.36.1** above shall confer no right to speak (unless the Member is invited by the Chairman concerned) nor to vote.

4.37 Substitution at Committee Meetings

4.37.1 A member of a committee, who is unable to attend a meeting of that committee, may propose another Member of the Authority to take their place at that meeting and act as their substitute. The substitute may be a member of any political group.

4.37.2 On receiving notice of a substitution, the Clerk, or their representative at the meeting, shall include the substitute as a member of the committee for that meeting and shall inform the Chair and the meeting.

4.37.3 The substitute Member shall remain a member of the committee for the duration of the meeting and shall be entitled to vote and assume all of the responsibilities of the named Member.

4.37.4 A named Member who subsequently appears at a meeting when a substitute is already present in their place, shall, subject to **Standing Order 4.36**, be entitled to speak to any item but not to vote.

4.38 Resignations from Committees/Other Bodies

4.38.1 Vacancies arising in committee memberships or other bodies must be notified to the Clerk. Subject to the requirements of the Local Government and Housing Act 1989 with regard to the allocation of seats to political groups nominations to fill casual or other vacancies occurring in committee memberships shall be filled by the Clerk after consultation with Group Leaders. In the event of disagreement the filling of vacancies will be the subject of a recommendation to the Authority.

4.39 Standing Orders to Apply to Committees

In addition to Standing orders 4.32-4.38 above the Standing Orders set out below shall, with any appropriate modification, apply to committees

Standing Order 4.3.3	Calling of Meetings
Standing Order 4.3.4 a	Calling of Meetings
Standing Order 4.3.6	Calling of Meetings
Standing Order 4.3.7	Calling of Meetings
Standing Order 4.4	Admission of the Public and Press
Standing Order 4.5	Identification of Reports containing “Confidential” or “Exempt” information
Standing Order 4.6	Public Inspection of Agenda and Reports
Standing Order 4.7	Public Inspection of Minutes
Standing Order 4.8	Public inspection of Background Papers
Standing Order 4.9	Press Notification
Standing Order 4.10	Record of Attendance
Standing Order 4.14	Minutes
Standing Order 4.15	Voting
Standing Order 4.16	Adjournment of Meetings
Standing Order 4.21	Rules of Debate
Standing Order 4.22	Improper Conduct
Standing Order 4.23	Disturbance by members of the Public
Standing Order 4.24	Motion to Rescind

Standing Order 4.25	Interests of Members
Standing Order 4.26	Members' Rights to inspect Documents
Standing Order 4.31	Changes to Standing Orders

4.40 Suspension of Standing Orders

4.40.1 Standing Orders may be suspended in respect of any business at the meeting where the Authority (subject to **Standing Order 4.40.3**) agrees to the suspension.

4.40.2 Whether or not notice thereof has been given, a motion to suspend one or more Standing Orders shall not be moved unless there shall be present at least one-half of the whole number of the Members of the Authority.

4.40.3 The following Standing Orders or parts of Standing Orders may not be suspended:-

Standing Order 4.1	Constitution of the Combined Fire Authority
Standing Order 4.3	Calling of Meetings
Standing Order 4.4	Admission of the Public and Press
Standing Order 4.5.1	Identification of Reports containing "Confidential" or "Exempt" information
Standing Order 4.6	Public Inspection of Agenda and Reports
Standing Order 4.7	Public Inspection of Minutes
Standing Order 4.8	Public inspection of Background Papers
Standing Order 4.9	Press Notification
Standing Order 4.10	Record of Attendance
Standing Order 4.11.1	Quorum
Standing Order 4.12	Election of Chair and Vice-Chair
Standing Order 4.14.1, 4.14.2, 4.14.4	Minutes
Standing Order 4.10	Voting
Standing Order 4.16	Improper Conduct
Standing Order 4.17.3	General Disturbance by Members of the Public
Standing Order 4.30	Standing orders to be given to Councillors
Standing Order 4.40	Suspension of Standing Orders

✓ = Standing Orders of Statutory origin which cannot be suspended.

* = Standing orders which with appropriate modification shall apply to Committees