

ANNEX 6 – COUNCIL STANDING ORDERS

MEETINGS OF THE COUNCIL

Note : * = Those Standing Orders which are required or substantially required by law and cannot be suspended or revoked.

STANDING ORDER 1 - Annual Meeting and Ordinary Meetings

- (1)* The Annual Meeting of the Council shall be held -
 - (a) in a year of ordinary elections of County Councillors on the last Tuesday in the period of 25 days after the ordinary day of election.
 - (b) in every other year on the third Tuesday in May.
- (2) The other meetings of the Council (“ordinary meetings”) shall be held each year, normally on Tuesdays:-
 - on a weekday in February;
 - on a weekday in March or April;
 - on the third Tuesday in July;
 - on a weekday in November; andon such other dates as the Council may determine.
- (3) The Annual Meeting and all ordinary meetings of the Council shall be held at County Hall, Hertford at 10.00 a.m. or such other time of the day as is determined by the Chairman after consultation with the Leaders of the largest three Political Groups.
- (4) The Chairman may, after consultation with Political Group Leaders, cancel an ordinary meeting of the Council on grounds of lack of business or vary the date of an ordinary meeting of the Council by requiring the Chief Legal Officer to inform all Councillors of the cancellation or variation of the date at any time before the summons is sent under Standing Order 3 (b).

STANDING ORDER 2 - Extraordinary Meetings

- (1)* The Chairman may call an extraordinary meeting at any reasonable time and in any suitable place in Hertfordshire.

(2)* On a requisition signed by 5 Councillors the Chairman shall call an extraordinary meeting of the Council. If the Chairman refuses, or fails to call an extraordinary meeting within 7 days after the requisition has been presented, any 5 Councillors may call an extraordinary meeting of the Council at any reasonable time and in any suitable place in Hertfordshire.

(3) Subject to Standing Orders 2(1) and 2(2) above, these Standing Orders shall apply to an extraordinary meeting as they apply to an ordinary meeting of the Council subject to the following modifications:

(a) the summons sent to every Councillor under Standing Order 3 shall state:

- (i) In the case of an extraordinary meeting called by the Chairman under Standing Order 2(1), the business specified by the Chairman as the business to be transacted at the meeting; or
- (ii) In the case of an extraordinary meeting called following a requisition signed by 5 Councillors the business specified in the requisition as the business to be transacted;

and, in either case, no other business may be discussed or transacted at the meeting other than any business declared by the Chairman to be urgent.

- (b) Standing Orders 7 (the Executive Report) and 8 (Questions) shall not apply;
- (c) Only public petitions which relate to the business to be transacted at the meeting shall be presented;
- (d) Only public questions which relate to the business to be transacted at the meeting shall be asked;
- (e) Standing Orders 9(6) to 9(10) (Notice of Motions) shall not apply;
- (f) The summons sent to every Councillor under Standing Order 3 shall notify every Councillor of the time and date by which written notice of motions and amendments in relation to the business to be transacted at the extraordinary meeting shall be lodged with the Chief Legal Officer provided that that time and date shall be no later than 5 p.m. on the second working day before the extraordinary meeting.

STANDING ORDER 3 - Notice

- * At least 5 clear working days before a Council meeting -
 - (a) notice shall be published at County Hall and on the Council's website of the time and place of the meeting
 - (b) a written summons shall be sent to every Councillor stating the time and place of the meeting and the business to be transacted.
 - (c) the minutes of the last meeting of the Council shall be sent to every Councillor.

STANDING ORDER 4 - Chairman and Executive Leader

- (1)* At the Annual Meeting the Council shall elect a Chairman and Vice-Chairman for the ensuing year
- (2)* The Chairman if present shall chair the meeting. If the Chairman is absent, the Vice-Chairman will take the chair. If both are absent another Councillor chosen by the Councillors present will chair the meeting.
- (3) The Chairman is entitled to a briefing by officers on the business of the meeting.
- (4) At the Annual Meeting in the year of the ordinary election of County Councillors the Council shall elect an Executive Leader (referred to in these Standing Orders as "the Leader of the Council") in accordance with the provisions of Section 7 of the Constitution and the Leader of the Council so elected shall hold office in accordance with those provisions.

STANDING ORDER 5 - Minutes

- (1)* Minutes of meetings shall be kept in a book which shall be signed at the next ordinary meeting by the Chairman. The book shall be open for inspection by any Councillor.
- (2) Minutes of the previous meeting shall be taken as read and no motion shall be put, or discussion take place, except on their accuracy.

STANDING ORDER 6 - Order of Business

- (1) At the Annual Meeting the order of business will be:
- a) to elect the Chairman of the Council for the ensuing year;
 - b) to elect the Vice-Chairman of the Council for the ensuing year;
 - c) to confirm the minutes of the last meeting as being correct;
 - d) in a year when there is an ordinary election of County Councillors, to elect the Leader of the Council;
 - e) to deal with business required by law or by the Constitution to be done;
 - f) to receive a report from the Chief Legal Officer on political proportionality and to review the political balance of committees in accordance with Section 15 of the Local Government and Housing Act 1989;
 - g) to make appointments to the Council's Scrutiny and other committees of the Council;
 - h) to appoint Chairmen and Vice-Chairmen to the Council's committees;
 - i) to appoint Councillors to outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Executive in accordance with the provisions of Section 4 and Table 1 of Annex 3 to the Constitution.
- (2) Except where the order of business is varied under Standing Order 6(3) below, the order of business at each ordinary meeting of the Council will be:
- a) to choose a person to preside if the Chairman and Vice-Chairman are absent;
 - b) to confirm the minutes of the last meeting as being correct;
 - c) to receive such announcements as the Chairman wishes to make;
 - d) to deal with business required by law or by the Constitution to be done;
 - e) to appoint Councillors to committees and/or chairman or vice chairmen of committees (if necessary);
 - f) to deal with any business remaining from the last meeting;
 - g) to deal with questions from the public;
 - h) to hear public petitions under the Council's Petition Scheme (Annex 24);
 - i) to deal with officer reports relating to Executive Portfolios;
 - j) to receive a report from the Leader of the Council under Standing Order 7;
 - k) to deal with oral questions to the Leader of the Council and Members of the Executive under Standing Order 8;
 - l) to deal with reports from the Overview and Scrutiny Committee and the Health Scrutiny Committee which shall be deemed to

- include all items referred to in the minutes of the relevant Committee, or work completed by any of their Topic Groups since the previous ordinary meeting of the Council;
- m) to deal with reports or recommendations from any other committee of the Council;
 - n) to deal with reports from officers not relevant to Executive Portfolios;
 - o) to consider and deal with Notices of Motion under Standing Order 9(6) in the order in which they have been received;
 - p) to deal with any other business specified in the summons.
- (3) Business falling under Standing Order 6(2)a) and b) shall not be displaced but, subject to statutory provision, the order of business specified in Standing Order 6(2)c) to p) may be varied by:
- (i) the Chairman in his/her discretion; or
 - (ii) by a resolution to vary the order of business passed on a motion moved and seconded without discussion.
- (4)* No business shall be transacted at a meeting of the Council except that:-
- (a) specified in the summons;
 - (b) required by law;
 - (c) declared by the Chairman to be urgent.
- (5) The Chairman may adjourn the meeting from time to time, or to another day if it appears him/her that the meeting cannot be conveniently concluded.

STANDING ORDER 7 - The Executive Report

- (1) At every ordinary meeting of the Council other than a budget decision meeting (as defined in Standing Order 19) the Leader of the Council will present a report on the activities of the Executive since the previous ordinary meeting of the Council (“the Executive Report”). The Executive Report will:
- (i) include the position of key decisions in the Forward Plan and any executive key decisions taken under the provisions relating to special urgency;
 - (ii) include a section in relation to each Executive portfolio; and

- (iii) be deemed to include all items referred to in the minutes of the relevant Cabinet Panels and any responses by the relevant Executive Member(s) to any recommendations made by the Overview and Scrutiny Committee or any Topic Group.
- (2) The Leader of the Council will move the receipt of the Executive Report and may make a short statement introducing the Executive Report. Subject to Standing Order 7(3) below, no other Councillors may speak in relation to the motion to receive the Executive Report.
- (3) The Executive Report will be received without comment or question subject to the right of a member of the Executive to make a factual correction or update.
- (4) No amendment may be moved to the motion to receive the Executive Report.
- (5) A motion arising from the Executive Report may be moved provided that the motion has been submitted in accordance with Standing Order 9(3) or Standing Order 9(4), or if the debate is allowed under Standing Order 9(5).

STANDING ORDER 8 - Questions

Questions from Councillors to Leader of the Council and Executive Members.

- (1) At each meeting of the Council there shall be an opportunity (referred to in this Standing Order as “Question Time”) for Councillors to put oral questions to the Leader of the Council and Executive Members about the policies and priorities relevant to their portfolios.
- (2) Question Time shall take place at the end of consideration of the Executive Report under Standing Order 7.
- (3) Question Time shall be divided into two parts:
 - (a) Oral questions under Standing Order 8(1) from Councillors who are members of Political Groups (“Group Question Time”); and
 - (b) Oral questions under Standing Order 8(1) from Councillors who are not members of Political Groups (“Independent Councillors Question Time”).
- (4) Group Question Time shall precede Independent Councillors Question Time and shall involve oral questions being asked and replied to in rotation among the Political Groups, starting with the largest opposition

Group followed by other opposition Groups and concluding with the administration Group (“a full rotation”), such questions being asked to the Leader of the Council and the Executive Members in turn with “full rotations” being repeated until the end of Group Question Time under Standing Order 8(7)(c). Questioners shall be nominated by Political Group Leaders.

- (5) Independent Councillors Question Time shall follow Group Question Time and shall be an opportunity for Councillors who do not belong to a Political Group to ask one oral question each, the order of these questions to be decided by the Chairman.
- (6) Each oral question will receive an oral reply unless the person to whom the question is put undertakes to provide a written reply within 5 working days. One supplementary question may be asked in relation to each oral question.
- (7) Time Limits
 - (a) Each Councillor asking a question shall have a maximum of 1 minute to ask the question and 1 minute to ask any supplementary question.
 - (b) A Councillor responding to a question shall have a maximum of 2 minutes to respond to the question and 2 minutes to respond to any supplementary question.
 - (c) Group Question Time shall end on the first to occur of (i) or (ii) below:
 - (i) when there are no further oral questions to be asked by councillors who are members of Political Groups;
 - (ii) at the end of the prescribed period.
 - (d) For the purposes of this Standing Order “the prescribed period” shall be whichever is the later of (i) or (ii) below:
 - (i) the completion of one full rotation;
 - (ii) 1 hour from the beginning of Group Question Time or such longer period as may be necessary to enable a Councillor who has asked or started to ask a question (other than a supplementary question) within that 1 hour from finishing and/or receiving a reply to that question.
- (8) The minutes of the meeting will record the name of each Councillor asking an oral question and any supplementary question and the name of the Councillor who responded.

- (9) A Councillor may put a written question to the Leader of the Council or to a member of the Executive on any matter relating to their portfolio by giving written notice to the Chief Legal Officer at least 8 clear working days before a Council meeting. The question and the answer to it shall be appended to the Anticipated Order of Business for the meeting and shall be appended to the Minutes of that meeting. There shall be no discussion or debate about a written question at the meeting except as properly arising elsewhere within the business of the meeting.

Public Questions

- (10) At each meeting of the Council there shall be the opportunity for any member of the public being resident or working in Hertfordshire to put questions to the Leader of the Council and/or Members of the Executive about the policies and/or strategic priorities of the Council or about any matter which directly affects the county.
- (11) A member of the public who wishes to ask a question shall give written notice of it to the Chief Legal Officer at least 7 clear working days before the meeting, stating to whom the question is to be put.
- (12) Questions shall be answered orally at the meeting in the order in which notice has been received. At the end of each reply, the questioner may put one supplementary question to the person to whom the original question was put who may reply orally or may undertake to reply in writing within 5 working days after the date of the meeting. There shall be no other debate or discussion of the question at the meeting.
- (13) The period of time allocated to questions under Standing Order 8(10) shall not exceed 30 minutes. Any questions remaining after that period has elapsed shall be answered in writing within 5 working days after the date of the meeting.
- (14) Answers given orally at the meeting shall be included in the Minutes. Answers given in writing after the meeting shall be copied to all Councillors.

Questions on Reports

- (15) A Councillor may ask questions arising from a report presented to the Council (other than the Executive Report) at the time it is presented.

STANDING ORDER 9 - Motions

All Motions

- (1) Every motion shall be relevant to some matter over which the Council has power or which directly affects the County.

Motions without Notice

- (2) The following motions may be moved without notice:-
 - (a) to appoint a person to preside at the meeting;
 - (b) to question the accuracy of the minutes;
 - (c) to vary the order of business under Standing Order 6(3);
 - (d) to appoint a committee or members of a committee, arising from business referred to in the summons to the meeting;
 - (e) to adopt a report or recommendation from the Executive, a committee of the Council or from officers;
 - (f) subject to Standing Orders 9(4) and 10, to amend a motion;
 - (g) to exclude the press and public under section 100A of the Local Government Act 1972;
 - (h) to move one of the following motions in accordance with Standing Order 11(8):
 - (i) "That the question be now put"
 - (ii) "That the Council proceeds to next business"
 - (iii) "That the debate be now adjourned"
 - (iv) "That the Council now adjourn"
 - (i) to move that a named Councillor be not further heard or leave the meeting under Standing Order 14 (8)
 - (j) subject to Standing Order 19(1), to suspend (but not vary or revoke) a specified Standing Order or Standing Orders in relation to a matter then under debate or to be debated

Motions arising from reports on the agenda

- (3) Subject to Standing Order 9(4) below notice of motions arising out of reports or recommendations from the Executive (including the Executive

Report under Standing Order 7), Scrutiny Committees or any other committee or officers, require notice in writing to be lodged with the Chief Legal Officer by noon on the third working day before the day of the meeting.

- (4) Where the motion relates to an item that has been considered by the Executive at a meeting held later than the time and day specified in Standing Order 9(3) above, notice in writing must be lodged with the Chief Legal Officer by 4 p.m. on the working day immediately before the meeting.
- (5) With the agreement of the Leaders of all of the Political Groups, or, in the absence of such agreement, if the Chairman in his/her absolute discretion shall determine that the substance of the motion is of such significance to Hertfordshire and such topicality that the motion should be debated on the day, a motion of which notice has not been given in accordance with Standing Orders 9(3) or (4) above may be debated.

Motions not arising from reports on the agenda

- (6) All motions which do not relate to a report on the agenda require notice, which shall be in writing, signed by the Councillor (or Councillors) giving the notice, and delivered at least 10 clear working days before the meeting of the Council to the Chief Legal Officer.
- (7) The Chief Legal Officer (subject to the deletion of any defamatory words) shall insert in the summons for every meeting of the Council all notices of motion, in the order in which they are received.
- (8) Unless the Chairman, in his/her absolute discretion shall determine that the substance of the motion is of such significance to Hertfordshire and such topicality that the motion be debated on the day, the mover of a motion of which notice has been given under Standing Order 9(6) shall move the motion formally and shall not otherwise speak; the seconder shall second the motion formally and shall not otherwise speak. Unless the Chairman has determined that the motion be debated no amendment may be moved to the motion and the motion shall then stand referred either to the Overview and Scrutiny Committee or to an appropriate Cabinet Panel, as the Chairman, may determine for consideration.
- (9) If the Chairman determines, under Standing Order 9(8), that the motion will be dealt with on the day, the normal rules of debate will apply, except that the Chairman may, in his/her absolute discretion and notwithstanding the provisions of Standing Order 11(16) determine the number of speakers and a time limit for each speech.

- (10) If a motion, notice of which is given in the summons, is not moved by the Councillor who has given the notice, or by another Councillor, it shall be treated as abandoned.

STANDING ORDER 10 – Amendments to Motions or Recommendations

- (1) Subject to Standing Order 10(3) below an amendment to a motion shall relate directly to the subject matter of the motion and shall be:
- (i) to leave out words;
 - (ii) to put in words;
 - (iii) to leave out words and put in words; or
 - (iv) to refer the subject matter of the motion to the Executive or to a Committee, Sub-Committee or Topic Group for consideration or re-consideration.
- (2) An amendment under Standing Order 10(1)(iv) to refer the subject of a motion to a body for re-consideration may be moved as “reference back.”
- (3) An amendment shall not have the effect of negating a motion.
- (4) If an amendment is lost, other amendments may be moved, except that the Chairman may disallow repetitious ones. If an amendment is carried the amended motion shall take the place of the original motion upon which, subject to Standing Order 10(5) further amendments may then be moved.
- (5) An amendment shall not be moved unless:
- (a) written notice of the proposed amendment has been lodged with the Chief Legal Officer by noon on the working day immediately before the day of the meeting; or
 - (b) in a case where the proposed amendment relates to a motion to which Standing Order 9(4) applies, written notice of the proposed amendment has been lodged with the Chief Legal Officer by 6 p.m. on the working day immediately before the day of the meeting; or
 - (c) the Chairman agrees in the interests of convenience to allow the amendment to be moved without such notice having been given; or

- (d) the Leaders of all of the Political Groups represented on the Council agree that the amendment may be moved without such notice having been given.

STANDING ORDER 11 - Procedure on Debates

- (1) The Chairman may require the mover of a motion or amendment to provide a written version so that it may be read out.
- (2) All motions and amendments must be seconded with the exception of:
 - (i) a motion (other than a motion under Standing Order 11(8)) or amendment moved by the Chairman; or
 - (ii) a motion that the Council receive the Executive Report under Standing Order 7.
- (3) A Councillor seconding a motion or amendment may reserve his/her speech until later in the debate.
- (4) The mover of a motion or amendment, with the consent of the seconder (where a seconder is required), may, unless the motion has been amended, withdraw the motion or amendment, following which no further debate may then take place.
- (5) The mover of a motion, with the consent of the seconder (where a seconder is required), may alter the motion, but only if the alteration is one which could have been moved as an amendment to the motion (see Standing Order 10(1)).
- (6) The Chairman, having notice that more than one motion or amendment on a matter is to be moved, may determine the order in which such motions or amendments are to be taken, and may determine that more than one motion or amendment be debated together.
- (7) A Councillor shall not speak more than once on a motion or amendment except:-
 - (a) on a point of order which must relate to an alleged breach of a specified Standing Order or statutory provision and the Councillor must state why he/she believes the Standing Order or statutory provision has been breached;
 - (b) by way of personal explanation confined solely to part of an earlier speech made by that Councillor at the meeting which he/she

believes has been incorrectly quoted or misunderstood, or to rebut a personal allegation made against that Councillor at the meeting;

- (c) to exercise a right of reply under Standing Order 12
 - (d) to move a further amendment
- (8) The Chairman, or any Councillor who has not previously spoken in that particular debate, may, at the end of a speech of another Councillor, move, without comment, one of the the following motions (which must then be seconded including when moved by the Chairman):-
- (a) “That the question be now put”
 - (b) “That the Council proceeds to next business”
 - (c) “That the debate be now adjourned”
 - (d) “That the Council now adjourn”.
- (9) If any of the motions referred to in Standing Order 11(8) is moved and seconded the Chairman shall proceed as follows.
- (a) In the case of a motion to proceed to next business, unless in the Chairman’s opinion the matter before the meeting has been insufficiently discussed, the Chairman shall first give the mover of the original motion the right of reply under Standing Order 12 and then put the motion to proceed to next business to the vote without further discussion;
 - (b) If the motion to proceed to the next business is carried then the Chairman will move the meeting to the next substantive item of business on the Agenda without a vote being taken on any motion or amendment outstanding in relation to the item of business then being discussed; if the motion is lost then the original vote and any amendments on it (if they have been debated together) will be put to the vote without any further debate;
 - (c) In the case of a motion that the question be now put the Chairman shall, unless in his/her opinion the matter before the meeting has been insufficiently discussed, first put to the vote the motion that the question be now put and, if it is carried, give the mover of the original motion the right of reply under Standing Order 12 before putting the question (either the motion or an amendment to the

motion or where the motion and any amendments have been taken in one debate both the motion and amendments on it) (as the case may be) to the vote without further discussion;

- (d) In the case of either a motion that the debate be now adjourned or that the Council now adjourn, the Chairman shall, if in his/her opinion, the matter before the meeting has not been sufficiently discussed, and cannot reasonably be discussed on that occasion, put the adjournment motion to the vote without further discussion and without giving the mover of the original motion the right of reply under Standing Order 12. If the motion is carried the Chairman may fix a time and date for the debate to be resumed or for an adjourned meeting of the Council to be held, but, if no time and date is fixed by the Chairman, the business or the remaining business shall stand adjourned to the next ordinary meeting of the Council.
- (10) Where the Council is considering a petition under the Council's Petition Scheme ("a petition"):
- (a) if a petition relates to an item of business on the agenda for Council, the petition will be considered immediately before that item and the normal rules of debate set out in Standing Orders 11(1) to (9), 11(16) and 12 shall apply;
 - (b) if a petition does not relate to an item of business that would otherwise have been on the agenda for Council these Standing Orders shall be subject to Standing Orders 11(11) to 11(15) below which shall apply.
- (11) If more than one notice of motion has been submitted under Standing Order 9(3) in relation to a petition the motion of which notice was first given shall be the only motion debated.
- (12) In the case of a motion or amendment moved relating to a petition, only the following Councillors shall be entitled to speak on the motion or amendment and in the following order:
- (a) the proposer of the motion or amendment;
 - (b) one Councillor from each Political Group provided that the Councillor is not a member of the same Political Group as either the proposer or the seconder of the motion or amendment;

- (c) one Councillor and only one Councillor who is not a member of a Political Group provided that he/she is neither the proposer or seconder of the motion or amendment;
 - (d) the seconder of the motion or amendment.
- (13) Where no motion is moved in relation to a petition, one Councillor and only one Councillor from each Political Group (followed by one Councillor and only one Councillor who is not a member of a Political Group) may speak in relation to the petition and the petition will then be referred (at the discretion of the Chairman) to the Overview and Scrutiny Committee, the appropriate Cabinet Panel or to officers for consideration and report to the local Councillor and Political Group Spokesmen.
- (14) No Councillor may speak in relation to a petition or in any debate relating to a petition except as provided under Standing Orders 11(11) to 11(13) above.
- (15) The proposer of a motion relating to a petition shall not have a right of reply under Standing Order 12.

Time Limits - Speeches

- (16) (a) The time limits for speeches shall be as follows:
- (i) for the mover of a motion when moving the motion: 5 minutes;
 - (ii) subject to Standing Order 11(16)(b), for the first speaker to a motion (after the mover of the motion) from each Political Group other than the Political Group to which the mover of the motion belongs: 5 minutes;
 - (iii) in all other cases, including the exercise of a right of reply under Standing Order 12, 3 minutes.
- (b) The leader of a Political Group may nominate in writing to the Chairman prior to the meeting another Councillor of his/her Political Group to have the ability to speak for 5 minutes in relation to a motion in the place of the first speaker from that Political Group.
- (c) The Chairman may vary the time limits under Standing Order 11(16)(a)(i) to (iii) above at his/her discretion.

- (d) Debate on a motion relating to the Executive Report under Standing Order 7, or any amendment relating to such a motion, shall not continue after the end of the period of 2 hours from the start of the Council's consideration of the Executive Report ("the 2 hour period") and immediately after the end of the 2 hour period the Chairman shall, having given the Council a warning 5 minutes before the expiry of the 2 hour period that the 2 hour period was about to end, take the following steps:
 - (i) put any motion or amendment then under debate to the vote without further discussion and without giving the mover of the motion the right of reply under Standing Order 12;
 - (ii) if an amendment was under debate at the end of the 2 hour period, having put the amendment to the vote, put the original (or amended) motion to the vote without further discussion and without giving the mover of the motion the right of reply under Standing Order 12.
- (e) Any motion(s) and amendments to such motions listed in the order paper which have not been moved before the end of the 2 hour period shall fall.
- (f) No motion relating to the Executive Report shall be moved within 20 minutes before the end of the 2 hour period.

STANDING ORDER 12 - Right of Reply

- (1) Subject to any provision to the contrary in these Standing Orders, at the close of a debate the mover of a motion shall have a right to reply immediately before it is put to the vote. That right of reply shall not introduce new matter.
- (2) If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate upon the amendment, immediately before it is put to the vote, but shall not otherwise speak on the amendment.
- (3) The mover of an amendment shall not have a right of reply in relation to the amendment.
- (4) After every right of reply is exercised under this Standing Order the question shall be put to the vote without further discussion.

STANDING ORDER 13 - Voting

- (1)* Except where otherwise required by law, all questions shall be decided by a majority of Councillors present and voting.
- (2)* In the case of an equality of votes, the Chairman shall have a second or casting vote.
- (3) Subject to Standing Orders 13(4), 13(5) and 13(8) and unless, in relation to any vote, the Council otherwise determine before that vote is taken, voting shall be by show of hands or by means of electronic voting equipment.
- (4) Immediately before a vote is taken at least 8 Councillors may require the vote to be recorded to show how each Councillors present voted and the name(s) of any Councillor(s) who abstained from voting (“a recorded vote”).
- (5)* A recorded vote will be taken in relation to a vote at a budget decision meeting on any decision relating to the budget or the issuing of the Council tax precept.
- (6)* Immediately after a vote has been taken any Councillor may require that the Minutes record the way in which that Councillor voted.
- (7) Where three or more persons are nominated for one position to be filled, and of the votes cast there is no overall majority 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 taken with this procedure being repeated until a majority of votes is cast in favour of one person.
- (8) Where more than one position is to be filled by the Council and there are more candidates than positions, voting shall be by ballot.

STANDING ORDER 14 – Conduct of Meetings

All Meetings

- (1)* Subject to the provisions of Part VA of and Schedule 12A to the Local Government Act 1972 (which require or permit the exclusion of the public during consideration of certain types of business) all meetings of the Council shall be open to the public to the extent of the safe capacity of the Chamber.

Councillors

- (2) A Councillor when speaking shall address the Chairman.
- (3) The Chairman shall determine which Councillors shall speak and in which order.
- (4) Only one Councillor shall speak at once.
- (5) When the Chairman stands up or calls for order or silence, all Councillors will sit and be silent.
- (6) All speeches shall be relevant to the matter under discussion.
- (7) The ruling of the Chairman on any matter shall be final and shall not be challenged by any Councillor.
- (8) If a Councillor persistently disregards the ruling of the Chairman, behaves in a disorderly manner or wilfully obstructs the business of the meeting:-
 - (a) the Chairman may adjourn or suspend the meeting for so long as seems fit;
 - (b) a Councillor may move “that the Councillor named be not further heard” or “that the Councillor named leave the meeting” and upon being seconded such motion shall be put without discussion and shall, if passed, be complied with forthwith. If the Councillor named does not comply or otherwise persists in misconduct, the Chairman may order that the Councillor be removed.
- (9) Councillors shall ensure that their Mobile Devices are switched off or otherwise silenced during the meeting. A Councillor whose Mobile Device sounds during the meeting may be warned by the Chairman; if the Councillor’s Mobile Device sounds again during the meeting after such a warning has been given the Chairman may ask the Councillor to leave the meeting.
- (10) In accordance with the provisions of Section 100A(7A) to (9) of the Local Government Act 1972, any person present at a meeting of the Council shall, while that meeting is open to the public, be entitled to report on the meeting (including filming, photographing, making an audio recording of the proceedings, providing commentary on the proceedings and using any other means for enabling persons not present to see or hear the proceedings as they take place or later) and

shall be afforded reasonable facilities for that purpose, provided that no person present shall be entitled to report orally or make an oral commentary on the meeting as it takes place.

Press and Public

- (11) If a member of the public interrupts the meeting or behaves in a disorderly manner the Chairman shall give a warning. If such a warning is disregarded, the Chairman may order that the member of the public be removed and may adjourn or suspend the meeting for so long as seems fit.
- (12) In the case of general disturbance by members of the public the Chairman may order that all or part of the Chamber be cleared and may order that members of the public be removed from all or any part of County Hall and may adjourn or suspend the meeting for so long as seems fit.
- (13) Standing Order 14 (9) (use of Mobile Devices) shall apply to members of the public and press as it applies to Councillors.

STANDING ORDER 15 - Public Petitions

- (1) Petitions can be presented to Council in accordance with the Council's Petitions Scheme (Annex 24).
- (2) The Petition Organiser may address the Council for no more than 3 minutes on the subject of the petition, but thereafter shall not have the right to speak further.

STANDING ORDER 16 – Budget and Policy Framework Procedure Rules

The provisions of Annex 5 paragraphs 2.5- 2.7 and 2.7 – 2.9 which relate to the rules to be followed when a draft plan of strategy is adopted or amended or the budget is considered by Council are incorporated into these Standing Orders

STANDING ORDER 17 - Quorum

- * No business shall be transacted unless 20 Councillors are present in the Chamber.

STANDING ORDER C.18 - Disclosure

A Councillor shall not disclose to any person except another Councillor any papers indicated to be confidential unless:-

- (a) the Council expressly consent;
- (b) the Council has taken steps to make that business public; or
- (c) the law requires.

STANDING ORDER 19 - Variation and Suspension

- (1) Those Standing Orders marked * are required or substantially required by law and cannot be suspended or revoked.
- (2) Other Standing Orders may be suspended on the passing of a motion specifying the Standing Order(s) to be suspended.

STANDING ORDER 20 - Interpretation

(1) In this Annex:

- (a) **“the 1992 Act”** means the Local Government Finance Act 1992;
- (b) **“the 2001 Regulations”** means the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended);
- (c) **“budget decision meeting”** means a meeting of the Council at which the Council:
 - (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the 1992 Act;
 - (ii) issues a precept under Chapter 4 of Part 1 of the 1992 Act; or
 - (iii) considers the Council’s budget,

and, in each case, includes a meeting where making the calculation, issuing the precept or considering the budget, as the case may, was included as an item of business on the agenda for that meeting;

- (d) **“Chairman”**, except in Standing Order 2, means the person presiding at the Meeting;

- (e) “**clear working day**”, in relation to something required to be done before a meeting means a working day that is neither the day of the meeting nor the day (or the latest day) on which the thing is required to be done;
- (f) “**Councillor**” means a Councillor who is a member of the Council.
- (g) “**Executive**” and “**Executive Leader**” have the same meaning as in Part 1A of the Local Government Act 2000;
- (h) “**Leader of the Council**” means the Executive Leader;
- (j) “**Mobile Device**” means a mobile phone, tablet, portable computer or other mobile electronic device;
- (k) “**vote**”, in relation to a budget decision meeting, includes a vote on any decision related to the to the making of the calculation or the issuing of the precept, as the case may be;
- (l) “**working day**” means a day which is not a Saturday, a Sunday or a Public Holiday in England.