

**REPORT OF ADMINISTRATION AND DEMOCRATIC SERVICES MANAGER**

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**SUBJECT:  
REVIEW OF STANDING ORDERS**

Purpose of Report

Members are asked to adopt the revised Standing Orders appended to the report.

Introduction/Background

The introduction of The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017 requires local authorities to modify their Standing Orders in relation to 'Planning Committees'. The Regulations state that an authority's Standing Orders must be amended no later than the first ordinary meeting of an authority falling after the 5<sup>th</sup> May 2017. As the Authority's Standing Orders have not been reviewed for many years, this need for change has prompted an overall review.

The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017

These Regulations require all Local Planning Authorities (LPA) throughout Wales to modify their Standing Orders in relation to the quorum for 'Planning Committees' to 50% of the membership, rounded to the nearest whole number. The Regulations also require LPA not to appoint substitute Members, although this does not currently apply to this Authority as all Members sit on the Development Management Committee. However, were circumstances to change in the future and the membership of the Development Management Committee reduced in size, these Regulations, together with The Size and Composition of Local Planning Authority Committees (Wales) Regulations 2017, would then apply and Standing Orders would need to be amended accordingly.

Review of Standing Orders

In the main, the Standing Orders have been 'tidied up', but some new sections have been added to regularise what has, over the years, become practice, e.g. prior submission of nominations for Chair/Deputy Chair, substitution of appointed Member of a Committee, participation in Development Management Committee only if a Member has received planning training beforehand, etc.

Some other amendments are proposed to reflect what is considered to be best practice in other local authorities.

A copy of the revised Standing Orders is appended to this report.

Financial considerations

There are no financial implications arising from adopting the revised Standing Orders.

#### Risk and compliance considerations

It is a legal requirement that all local authorities have in place Standing Orders for the good governance of that authority. The Authority risks contravening legislation if it does not have a robust set of Standing Orders in place.

#### Human Rights/Equality issues

The Standing Orders provide all Members with an equal opportunity for taking part in the deliberations of the Authority.

#### Biodiversity implications/Sustainability appraisal

There are no biodiversity implications. The absence of Standing Orders will adversely affect the sustainability of the Authority's good governance.

#### Welsh Language considerations

Standing Order 11 dictates that, in all proceedings of the Authority/Committee, the Welsh and English languages shall have equal status and validity.

#### **RECOMMENDATION:**

**That the revised Standing Orders appended to this report are adopted.**

*(For further information, please contact Janet Evans, Administration and Democratic Services Manager on extension 4834 or by emailing [janete@pembrokeshirecoast.org.uk](mailto:janete@pembrokeshirecoast.org.uk))*

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## **STANDING ORDERS**

<b>STANDING ORDER</b>		<b>PAGE</b>
<b>1.</b>	<b>MEETINGS OF THE AUTHORITY</b>	<b>1</b>
<b>2.</b>	<b>MEETINGS OF COMMITTEES</b>	<b>2</b>
<b>3.</b>	<b>QUORUM</b>	<b>2</b>
<b>4.</b>	<b>ORDER OF BUSINESS</b>	<b>3</b>
<b>5.</b>	<b>APPOINTMENT OF CHAIR AND DEPUTY CHAIR</b>	<b>4</b>
<b>6.</b>	<b>CHAIRING MEETINGS</b>	<b>5</b>
<b>7.</b>	<b>MINUTES</b>	<b>5</b>
<b>8.</b>	<b>MOTIONS</b>	<b>6</b>
<b>9.</b>	<b>NOTICE OF QUESTIONS AND REPLIES THERETO</b>	<b>7</b>
<b>10.</b>	<b>LANGUAGE OF DEBATE</b>	<b>8</b>
<b>11.</b>	<b>RULES OF DEBATE</b>	<b>8</b>
<b>12.</b>	<b>VOTING</b>	<b>10</b>
<b>13.</b>	<b>RESCINDING A RESOLUTION</b>	<b>11</b>

<b>14.</b>	<b>REFERRAL OF DECISIONS</b>	<b>11</b>
<b>15.</b>	<b>CONFIDENTIALITY</b>	<b>11</b>
<b>16.</b>	<b>INTEREST OF MEMBERS IN CONTRACTS AND OTHER MATTERS</b>	<b>11</b>
<b>17.</b>	<b>CANVASSING OF AND RECOMMENDATIONS BY MEMBERS</b>	<b>12</b>
<b>18.</b>	<b>RELATIVES OF MEMBERS OR SENIOR OFFICERS</b>	<b>12</b>
<b>19.</b>	<b>DISORDERLY CONDUCT – MEMBERS</b>	<b>12</b>
<b>20.</b>	<b>APPOINTMENT OF MEMBERS TO POSITIONS TO BE FILLED BY THE AUTHORITY</b>	<b>13</b>
<b>21.</b>	<b>ATTENDANCE AT MEETINGS</b>	<b>13</b>
<b>22.</b>	<b>FILMING AND USE OF SOCIAL MEDIA</b>	<b>13</b>
<b>23.</b>	<b>DISTURBANCE – MEMBERS OF THE PUBLIC</b>	<b>13</b>
<b>24.</b>	<b>APPOINTMENT OF CHIEF OFFICERS AND DIRECTORS</b>	<b>14</b>
<b>25.</b>	<b>DISCIPLINARY ACTION RELATING TO CHIEF OFFICERS</b>	<b>14</b>
<b>26.</b>	<b>THE AUTHORITY’S COMMON SEAL</b>	<b>15</b>
<b>27.</b>	<b>SUSPENSION OF STANDING ORDERS</b>	<b>15</b>
<b>28.</b>	<b>VARIATION AND REVOCATION OF STANDING ORDERS</b>	<b>15</b>
<b>29.</b>	<b>INTERPRETATION OF STANDING ORDERS</b>	<b>15</b>

## **1. MEETINGS OF THE AUTHORITY**

### **1.1 Number of meetings**

In addition to the Annual Meeting, the Authority shall hold at least three other meetings each year for the transaction of general business, the dates and times of which shall be as may be determined by the Authority.

### **1.2 Dates of meetings**

The meetings of the Authority shall be held as near as may be at regular intervals on such dates as the Authority shall determine. The Chief Executive in consultation with the Chair shall have authority to change the date of any meeting of the Authority if, in the opinion of the Chair, such change is necessary for the convenient or efficient dispatch of Authority business.

### **1.3 Date of Annual Meeting**

The first meeting held after the 31<sup>st</sup> May in each year shall be the Annual Meeting of the Authority.

### **1.4 Time of Meetings**

The meetings of the Authority shall normally commence at 10.00am. The Chief Executive in consultation with the Chair shall have authority to change the time of any meeting of the Authority if, in the opinion of the Chair, such change is necessary for the convenient or efficient dispatch of Authority business.

### **1.5 Summons for a Meeting**

- a) The Chief Executive shall issue the summons for any meeting of the Authority not less than five clear days before the meeting to which it relates.
- b) The Summons for an Extraordinary meeting shall set out all the business to be considered at that meeting (see also Standing Order 4.4).
- c) Want of service of a summons on any Member of the Authority shall not affect the validity of such a meeting.

### **1.6 Extraordinary Meetings**

- a) An Extraordinary meeting of the Authority may be called at any time by the Chair of the Authority or, if the office of Chair is vacant, by the Deputy Chair of the Authority.
- b) If the offices of Chair and Deputy Chair are vacant, the Authority's Chief Executive may call an Extraordinary meeting of the Authority at any time.
- c) The Chair or, if the office of Chair is vacant, the Deputy Chair of the Authority shall call an Extraordinary meeting of the Authority upon receipt of a written request for that purpose, signed by six Members of the Authority. Should the Chair/Deputy Chair not call an Extraordinary meeting within seven days of receipt of the request, any six Members of the Authority may forthwith call an Extraordinary meeting of the Authority.

## **2. MEETINGS OF COMMITTEES**

### **2.1 Appointment of Committees**

The Authority shall at the Annual Meeting in each year appoint such Standing Committees, and may at any time appoint such other Committees, Working Groups or Panels, as are necessary to carry out the work of the Authority.

### **2.2 Number, dates and time of Committee meetings**

The number, dates and time of meetings of Committees shall be as may be determined by the Authority.

### **2.3 Summons for Committee meetings**

- a) The Chief Executive shall issue the summons for any Committee not less than five clear days before the meeting to which it relates.
- b) Want of service of a summons on any Member of the Authority shall not affect the validity of such a meeting.

### **2.4 Attendance at Committee Meetings**

A Member is authorised to nominate a similarly appointed Member (i.e. by Welsh Government or Pembrokeshire County Council) as their substitute at any of the Authority's Committee meetings provided:

- a) That the nominated substitute is not already a Member of that particular Committee, and
- b) That the Administration and Democratic Services Manager or one of his/her team is notified **before** the intended substitution takes place.

### **2.5 Participation in meetings of the Development Management Committee**

Members should not participate in decision making at meetings dealing with planning matters if they have not attended the mandatory planning training prescribed by the Authority.

## **3. QUORUM**

### **3.1 For the National Park Authority and Committees other than the Development Management Committee**

No business shall be transacted at a meeting of the Authority or any of its Committees unless at least one third of the whole number of Members of the Authority or Committee is present. Should more than one third of the membership be disqualified, the quorum shall be determined by reference to the number of Members remaining qualified instead of by reference to the whole number of Members of the Authority or Committee. The quorum shall include at least one local authority and at least one Welsh Government Member.

### **3.2 For the Development Management Committee**

No business shall be transacted at a meeting of the Development Management Committee unless at least half<sup>1</sup> of the whole number of Members of the Committee is present.

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<sup>1</sup> The Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2017

- 3.3 If, during any meeting of the Authority or its Committees the Chair, after counting the number of Members present declares that there is not a quorum present the meeting shall stand adjourned.
- 3.4 The consideration of any business not transacted shall be adjourned to:
- a) A date and time fixed by the Chair at the time the meeting is adjourned and in default, or
  - b) The next meeting of the Authority.
- 3.5 In the application of this Standing Order (3) to any Committee, a meeting may continue at the discretion of the Chair provided that no action shall be taken on any resolution proposed without submission of the proposal to a meeting of the Authority and the absence of a quorum shall be noted in the minutes.

#### **4. ORDER OF BUSINESS**

##### **4.1 For the National Park Authority**

Subject to Standing Order 4.3 and 4.4, the order of business at every meeting of the Authority shall be:

- a) At the Annual Meeting only in every year, the appointment of the Chair and Deputy Chair in accordance with the procedure set out in Standing Orders 5.1 – 5.3.
- b) To choose a person to preside over the meeting if the Chair and Deputy Chair are absent.
- c) To deal with any business expressly required by statute to be done.
- d) To receive apologies for absence.
- e) To receive any declaration of interest by any Member or Officer: Members are required to declare orally and in writing at the meeting.
- f) To approve and sign as a correct record the minutes of the last meeting of the Authority. This sub-clause shall not apply to an Extraordinary meeting of the Authority unless at such Extraordinary meeting the business transacted alters or affects in any way any resolution passed at a previous meeting of the Authority for which the minutes have not received approval and signature.
- g) To receive any announcements from the Chair and/or Chief Executive.
- h) To dispose of business remaining from the last meeting.
- i) To consider Motions in the order in which Notice has been received in accordance with Standing Order 8.2.
- j) To consider other business specified in the summons.
- k) To consider questions of which Notice has been given in accordance with Standing Order 9.2.
- l) Such business, unspecified in the summons, as the Chair may consider urgent. The nature of the urgency shall be specified in the minutes of the meeting.

##### **4.2 For Committees**

The order of business of every meeting of a Committee shall be as set out in 4.1 save that:

- a) Standing Order 4.1 a) shall refer to the first meeting of the Committee following the Annual Meeting of the Authority, but in accordance with Standing Order 5.4.

- b) Standing Order 4.1 i) shall refer to Notices of Motion referred to the Committee by a meeting of the Authority.
- 4.3 The order of business falling under Standing Orders 4.1 a) – 4.1 d) shall not be displaced.
- 4.4 At an Extraordinary meeting the order of business falling under items 4.1 b), c) or d) shall not be displaced and any other business shall be exactly that set out in the summons and no other business shall be considered.
- 4.5 Subject to Standing Orders 4.3 and 4.4, the order of any other business may be varied either at the Chair's discretion or by a resolution passed on a Motion duly moved, seconded and put without debate.

## **5. APPOINTMENT OF CHAIR AND DEPUTY CHAIR**

### **5.1 National Park Authority Annual Meeting**

Unless in a local authority election year, the process for nominations to the office of Chair of the National Park Authority shall be:

- a) Nominations should be submitted in writing to the Democratic Services Manager or his/her team no later than 10 working days before the date of the Annual General Meeting.
  - b) If no nominations are received prior to the deadline of 10 working days, nominations will be invited on the day of the meeting.
  - c) In either case, if more than one nomination is received the election of the Chair shall proceed by secret ballot by removing the nominee with the lowest number of votes until one of the nominees has received an absolute majority of the votes cast.
- 5.2 In a local authority election year, the process for nominations to the office of Chair of the National Park Authority shall be the same as Standing Order 5.1 above except that the deadline for nominations to be submitted shall be decided by the Chief Executive.
- 5.3 The Authority shall elect a Deputy Chair in accordance with Standing Orders 5.1 or 5.2 above, whichever is applicable at the time.
- ### **5.4 Committees**
- The Chair and Deputy Chair of a Committee shall be appointed at the first meeting of that Committee following the Annual Meeting of the Authority. Where practicable, nominations should be submitted in writing to the Democratic Services Manager or his/her team no later than 10 working days before the date of the meeting of the Committee and the consequent elections will be conducted in the same manner as referred to in Standing Orders 5.1 b) and c) above.
- ### **5.5 Casual Vacancy in the Office of Chair or Deputy Chair**
- On a casual vacancy occurring in the office of Chair or Deputy Chair of the Authority or its Committees, the vacancy shall be filled, where practicable, in accordance with Standing Order 5.1 above and the person so appointed shall hold office until the date upon which the person in whose place he/she is appointed would regularly have retired.



5.6 The Authority's Proper Officer, or other Senior Officer nominated by him/her, shall preside at any meeting to fill such a casual vacancy.

## **6. CHAIRING MEETINGS**

6.1 Subject to Standing Order 5.5 above, the Chair, if present, must preside at a meeting of the Authority, Committee or Sub Committee.

6.2 If the Chair and the Deputy Chair are absent, such Member of the Authority as the Members present shall choose shall preside.

6.3 No Member may serve as Chair or Deputy Chair of more than two Committees. This does not prevent a Member who is a Chair or Deputy Chair of a Committee from taking the chair of a Committee in the absence of its Chair and Deputy Chair. These provisions do not apply to Sub-Committees, Panels or Working Groups.

## **7. MINUTES**

### **7.1 Of the Authority**

At a meeting of the Authority at which minutes of a previous meeting are submitted for approval as a correct record, the Chair of the previous meeting shall move that those minutes be so approved.

### **7.2 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting**

Where in relation to any meeting of the Authority the next such meeting is a meeting called under Paragraph 3 (Extraordinary Meetings) of Schedule 12 of the Local Government Act 1972 the next following meeting of the Authority (being a meeting called otherwise than under that Paragraph) shall be treated as a suitable meeting for the purpose of Paragraphs 41 (1) and (2) (signing of minutes) of that Schedule.

### **7.3 Of Committees**

The minutes of the proceedings of each Committee shall be submitted for approval at the next ensuing ordinary meeting of the Committee and be signed by the Chair of the latter meeting.

7.4 No discussion shall take place upon the minutes, except upon their accuracy, and any matter concerning their accuracy shall be raised by Motion.

7.5 If no such matter is raised or, if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

7.6 Minutes of each Committee shall also be submitted to the Authority for adoption or information as appropriate. Any question on the accuracy of the Minutes of a Committee or Sub-Committee shall stand referred to the next meeting of the Committee or Sub-Committee and shall not be discussed at the meeting of the Authority.

## **8. MOTIONS**

### **8.1 Notices of Motion**

Subject to Standing Order 8.7 Notice of every Motion to be considered by the Authority shall be given in writing, signed by the Member or Members giving the Notice, and delivered at least 10 working days before the next meeting of the Authority to the office of the Chief Executive. Upon receipt it shall be dated, numbered in the order in which it is received and entered in a book which shall be open to the inspection of the public.

### **8.2 Motions to be set out in Summons**

The Chief Executive 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 unless the Member when giving such Notice intimated in writing that it is proposed to move it at some later meeting or has since withdrawn it in writing.

### **8.3 Motion not moved**

If a Motion thus set out in the summons be not moved either by a Member who gave Notice thereof or by some other Member on their behalf, it shall, unless postponed by consent of the Authority, be treated as withdrawn and shall not be moved without fresh Notice.

### **8.4 Written Amendments to Notices of Motion**

Written Amendments to Notices of Motion must be signed by the mover and received by the Chief Executive 24 hours before the meeting. The amended Notice of Motion will be circulated to all Members at the meeting. No verbal amendments will be allowed.

### **8.5 Referral of Notice of Motion to Committee**

- a) If the subject matter of any Motion of which Notice has been duly given comes within the province of any Committee, it shall, upon being moved and seconded, stand referred without discussion to such Committee as the Authority may determine for consideration and report.
- b) If the Chair considers it convenient or conducive to the efficient dispatch of business, the Chair may allow the Motion to be dealt with at the meeting at which it is brought forward.
- c) A Member who has moved a Motion which has been referred to any Committee shall have Notice of the meeting of the Committee at which it is proposed to consider the Motion, and shall have an opportunity to explain the Motion, but not to vote unless he/she is a Member of that Committee.

### **8.6 Scope of Motion**

Every Motion shall be relevant to some matter in relation to which the Authority has powers or duties or which affects the Pembrokeshire Coast National Park or the Authority.

### **8.7 Motions and Amendments which need not be in writing and may be moved without Notice**

The following Motions and Amendments need not be in writing and may be moved without Notice:

- a) Appointment of a Chair of the meeting at which the Motion is made.

- b) Motions relating to the accuracy of the minutes.
- c) That an item of business specified in the summons has precedence.
- d) That leave be given to withdraw a Motion.
- e) Extending the time limit for speeches.
- f) Amendments to Motions.
- g) That the meeting proceed to the next business.
- h) That the question be now put.
- i) That the debate be now adjourned.
- j) That the meeting do now adjourn.
- k) Suspending Standing Orders in accordance with Standing Order No 27.
- l) Motion under Section 100A (4) of the Local Government Act 1972 to exclude the public.
- m) That a Member named under Standing Order 19 be not further heard or do leave the meeting.
- n) Giving consent of the Authority where the consent of the Authority is required by these Standing Orders.

### **8.8 Motions affecting Officers**

If any question arises at a meeting of the Authority or Committee as to the appointment, promotion, dismissal, salary, superannuation, conditions of service, or conduct of any Officer or where persons are being interviewed for an appointment with the Authority, a Motion under Section 100A (4) of the Local Government Act 1972 to exclude the public shall be moved forthwith by the Chair and put without debate.

## **9. NOTICE OF QUESTIONS AND REPLIES THERETO**

### **9.1 Relating to Matters Referred to in the Summons of a Meeting**

During a meeting of the Authority or any of its Committees, a Member may ask the relevant Chair any question without Notice upon any item of business under consideration by the Authority/Committee.

### **9.2 Relating to Authority/Committee Business**

A Member may:

- a) Ask any question relating to the business of the Authority provided written Notice is received at the office of the Chief Executive 10 working days before the meeting.
- b) With the permission of the Chair, put any question relating to urgent business, but a copy of such question shall, if possible, be delivered to the Chief Executive not later than 12 noon on the day preceding the meeting.

Provided that:

- i) Where the desired information is contained in any publication of the Authority it shall be deemed a sufficient reply if the publication containing the information is indicated.
- ii) If a reply to any question cannot conveniently be given orally it will be deemed a sufficient reply if the answer is circulated to Members with the minutes of the meeting at which the question has been asked.
- iii) Every question shall be put and answered without discussion but the questioner may ask one supplementary question which must arise directly out of the original question or the reply.

## **10. LANGUAGE OF DEBATE**

In all proceedings of the Authority or Committee, the Welsh and English languages shall have equal status and validity. All persons addressing the Authority or Committee shall have the right to speak in either English or Welsh and the Chair shall arrange for any Motion, question, answer or Point of Order and at least the substance of any speech or comment to be translated into Welsh or English. Any inadvertent error in translation shall not invalidate any resolution.

## **11. RULES OF DEBATE**

### **11.1 Respect for the Chair**

Whenever the Chair intercedes during a debate a Member then speaking shall stop and the Authority or Committee shall be silent.

### **11.2 Member Speaking**

A Member, when speaking, shall address the Chair. If two or more Members indicate their wish to speak, the Chair shall call on one to speak. Whilst a Member is speaking the other Members shall remain silent other than to raise a Point of Order or in personal explanation.

### **11.3 Length of Speeches**

No speech shall, in the case of the proposer of the Motion, exceed five minutes except by consent of the Chair.

### **11.4 Discussion of a Motion or Amendment**

A Motion or Amendment shall not be discussed unless it has been proposed and seconded.

### **11.5 Secunder's Speech**

A Member, when seconding a Motion or Amendment may declare his/her intention to reserve speaking until a later period of the debate.

### **11.6 Speaking more than once**

Unless agreed by the Chair, a Member shall not address the Authority more than once on any Motion or Amendment, provided always that a Member may speak:

- a) To a point of order.
- b) In explanation of some material part of a speech which the Member believes to have been misunderstood.
- c) Once on an Amendment moved by another Member.
- d) If the Motion has been further amended since that Member last spoke to move a further Amendment, or
- e) If his/her first speech was on an Amendment moved by another Member, to speak on the main issue, whether or not the Amendment on which he/she spoke was carried.

### **11.7 Amendments to be Relevant**

An Amendment shall be relevant to the Motion and shall be to:

- a) Refer a subject of debate to the Authority or Committee for consideration or reconsideration.

- b) Leave out words.
- c) Leave out words and insert or add others.
- d) Insert or add words.

Such omission, insertion or additional words shall not have the effect of negating the Motion before the Authority.

#### **11.8 Discussion of Amendments**

- a) Only one Amendment may be moved and discussed at a time and no further Amendment shall be moved until the Amendment under discussion has been disposed of although Notice of any number of further Amendments may be given.
- b) The Chair may permit two or more Amendments to be discussed together but not voted on if he/she is of the opinion that this course would facilitate the proper conduct of Authority business.

#### **11.9 Alteration of Motion**

A Member may alter a Motion which he/she has moved without Notice with the consent of both the seconder and the meeting. The meeting's consent will be signified without discussion. Only alterations which could be made as an Amendment may be made.

#### **11.10 Further Amendments**

If an Amendment be lost, other Amendments may be moved on the original Motion. If an Amendment be carried, the Motion as amended shall take the place of the original Motion. This shall become the Substantive Motion upon which any further Amendment may be moved.

#### **11.11 Withdrawal of Motion or Amendment**

A Motion or Amendment may be withdrawn by the mover with the consent of the seconder and of the Authority or Committee, which shall be signified without discussion, and no Member may speak upon it after the mover has asked permission for its withdrawal, unless such permission has been refused.

#### **11.12 Right of Reply**

The mover of a Motion has a right of reply at the close of the debate on the Motion, immediately before it is put to the vote, but the reply shall be strictly confined to answering previous speakers and shall not introduce any new matters into the debate. If an Amendment is moved, the mover of the original Motion shall also have a right of reply at the close of the debate on the Amendment and shall not otherwise speak on the Amendment. The mover of the Amendment shall have no right of reply to the debate on that Amendment.

#### **11.13 Motions which may be moved during Debate**

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

- a) Amendments to the Motion.
- b) That the Authority or Committee proceed to the next business.
- c) That the question be now put.
- d) That the debate be now adjourned.
- e) That the Authority or Committee do now adjourn.

- f) A Motion under Section 100A (4) of the Local Government Act 1972 to exclude the public.
- g) That a Member named under Standing Order 19 be not further heard or do leave the meeting.

#### 11.14 **Closure Motions**

At the conclusion of a speech by another Member, a Member may move without comment one of the under-mentioned Motions. If such a Motion is seconded and, unless the Chairman considers that the matter has not been sufficiently discussed, the procedure shall be as follows:

- a) **A Motion to proceed to the next business**  
The Chair shall put to the vote the Motion to proceed to the next business. If that Motion is carried the mover of the original Motion shall be given a right of reply before that Motion is voted on.
- b) **A Motion that the question be now put**  
The Chair 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 before putting the Motion to the vote.
- c) **A Motion to adjourn the debate or the meeting**  
If, in the Chair's opinion, the matter before the meeting cannot reasonably be sufficiently discussed on that occasion, the Chair shall put the adjournment Motion to the vote without giving the mover of the original Motion their right of reply on that occasion. If the Motion is carried, the original Motion and any remaining business shall stand over as uncompleted business until the next meeting of the Authority or Committee.

#### 11.15 **Points of Order or personal explanation**

A Member may rise on a Point of Order or in personal explanation and shall be entitled to be heard forthwith provided that:

- a) A Point of Order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or statutory provision and the manner of the breach.
- b) A personal explanation shall be confined to some material part of an earlier speech by a Member which may appear to have been misunderstood in the present debate.
- c) The ruling of the Chair on a Point of Order or on the admissibility of a personal explanation shall not be open to discussion.

## 12. **VOTING**

- 12.1 Subject to Standing Orders 5 and 20 every question shall be determined by a show of hands unless otherwise decided by a majority at the meeting.
- 12.2 On the Chair having put the question no further discussion on it shall take place. The question having been put by the Chair and voting having commenced no Member shall speak, nor any question be asked.
- 12.3 Unless these Standing Orders provide otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

- 12.4 In the case of an equal division of votes, the Chair shall have a second or casting vote which may be exercised whether or not he/she has already voted.
- 12.5 If a Member so asks, a record shall be kept in the minutes of how the Member voted or abstained.
- 12.6 If at least one third of those Members eligible to vote so signify, the voting on any question shall be recorded in the minutes to show how each Member present and voting gave his/her vote or remained neutral as the case may be.

### **13. RESCINDING A RESOLUTION**

- a) No Motion or Amendment shall be moved to rescind any resolution of the Authority which was passed within the preceding six months or which is to the same effect as one which has been rejected within that period. Provided, however, that such a Motion may be moved at a meeting of the Authority if:
- i) It is recommended by a Committee; or
  - ii) Notice of such a Motion has been given by at least as many Members as would constitute a quorum of the Authority.
- b) When such a Motion has been disposed of by the Authority, no similar Motion may be proposed within a further period of six months.
- c) No Motion or Amendment shall be moved to rescind any resolution of the Authority or of a Committee which has been acted upon.

### **14. REFERRAL OF DECISIONS**

A matter which is within the powers of the Authority, but which it has delegated to a Committee, may be referred from that Committee to the Authority for determination. The power of referral may be exercised by the Chair of the Committee concerned, the Chief Executive or his/her representative at the meeting, the Monitoring Officer or the Section 151 Officer.

### **15. CONFIDENTIALITY**

A Member or Officer of the Authority shall not:

- a) Disclose any information which has been reported to the Authority or a Committee and which is confidential information as defined by the provisions of Section 100A of the Local Government Act 1972, and
- b) Without the permission of the Authority or the relevant Committee or Sub-Committee disclose any information which is identified as exempt information in a resolution of the Authority or a Committee or Sub-Committee to exclude the public in accordance with the provisions of Section 100A of the Local Government Act 1972.

### **16. INTEREST OF MEMBERS IN CONTRACTS AND OTHER MATTERS**

- 16.1 Members shall be governed by the provision of the Authority's Code of Conduct for Members adopted pursuant to Section 51 of the Local Government Act 2000 and The Local Authorities (Model Code of Conduct) (Wales) Order 2008 (and as amended in 2016).

- 16.2 In accordance with The Local Authorities (Model Code of Conduct) (Wales) Order 2008 and the Authority's adopted Members' Code of Conduct, all Members shall be required to declare any personal interests in a register that shall be kept by the Chief Executive. The register shall be open to public inspection.

## **17. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- 17.1 Canvassing of Members of the Authority, directly or indirectly, for any appointment under the Authority shall disqualify the candidate concerned for the appointment. The purport of this Standing Order shall be included in any form of application.

- 17.2 A Member of the Authority shall not solicit for any person any appointment under the Authority, and no Member or Officer responsible for advising the Authority shall give a testimonial or reference for an applicant for an appointment within the Authority.

## **18. RELATIVES OF MEMBERS OR SENIOR OFFICERS**

- 18.1 A candidate for any appointment under the Authority who knows that he/she is related to any Member or Senior Officer of the Authority shall disclose that relationship in his/her application. A candidate who fails to disclose such a relationship shall be liable to be disqualified for the appointment and if appointed shall be liable to dismissal without Notice. The purport of this Standing Order shall be included in any form of application.

- 18.2 Every Member and Senior Officer of the Authority shall disclose to the Chief Executive any relationship known to him/her to exist between him/her self and any person whom he/she knows is a candidate for an appointment under the Authority.

- 18.3 For the purpose of this Standing Order, "Senior Officer" means any Officer so designated by the Authority, and persons shall be deemed to be related if they are husband and wife or partner, or if either of them or the spouse or partner of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the other, or of the spouse or partner of the other.

## **19. DISORDERLY CONDUCT – MEMBERS**

- 19.1 If, during any meeting of the Authority or Committee, the Chair forms the opinion and notifies the meeting that any Member is misconducting himself or herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Authority or Committee, 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.

- 19.2 If the Member named continues the misconduct after a Motion under the foregoing Standing Order has been carried the Chair shall **EITHER**:



- a) Move "That the Member named do leave the meeting" (the Motion being put and determined without seconding or debate), **OR**
- b) Adjourn the meeting for such period as, in the opinion of the Chair, is expedient.

19.3 In the event of a general disturbance which, in the opinion of the Chair renders the due and orderly dispatch of business impossible, the Chair may, without the question being put, adjourn the meeting for such period as he/she may consider expedient.

## **20. APPOINTMENT OF MEMBERS TO POSITIONS TO BE FILLED BY THE AUTHORITY**

20.1 Where a vote is required on a Motion to appoint or elect a Member of the Authority to a position to be filled by the Authority and there are two or more Members nominated for that position, the names of all those nominated shall be put to the meeting in alphabetical order of surname. Those entitled to vote shall each vote by secret ballot for only one person. If there is not a majority of those voting 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 a majority of votes is given in favour of one person.

20.2 Excepting where the number of nominations does not exceed the number of vacancies, or if the number of vacancies is not limited, the Chair shall immediately put the appointment of the duly nominated candidates collectively as a substantive Motion upon which no Amendment may be moved.

20.3 Any secret ballot shall be conducted by the Chief Executive or his/her representative whose return shall be final and conclusive.

20.4 In this procedure an abstention shall not be counted as a vote.

## **21. ATTENDANCE AT MEETINGS**

Every Member attending a meeting of the Authority or any of its Committees, Sub-Committees, Working Groups or Panels of which he/she is a Member shall sign his/her name in the attendance book or sheet provided for that purpose.

## **22. FILMING AND USE OF SOCIAL MEDIA**

Filming and use of social media is permitted during meetings of the Authority or Committees with the prior consent of the Chair and provided there is no disturbance to the conduct of the meeting. No filming or use of social media will be permitted during consideration of matters where the public have been excluded from the meeting.

## **23. DISTURBANCE – MEMBERS OF THE PUBLIC**

23.1 If a member of the public interrupts the proceedings at any meeting the Chair shall warn him or her. If the interruption continues the Chair shall order his or her removal from the meeting.

- 23.2 In the event of a general disturbance which, in the opinion of the Chair renders the due and orderly dispatch of business impossible, the Chair may:
- a) Without the question being put, adjourn the meeting for such period as he/she may consider expedient, or
  - b) Order that part of the Meeting Room in which the disturbance occurs to be cleared.

## **24. APPOINTMENT OF CHIEF OFFICERS AND DIRECTORS**

- 24.1 Every appointment of a Chief Officer shall be made by the Authority. For the purposes of this Standing Order the "Chief Officer" refers to the Chief Executive, Head of Paid Service, Section 151 Officer and Monitoring Officer.
- 24.2 Where the Authority proposes to appoint a Chief Officer as defined above and it is not proposed that the appointment be made exclusively from among its existing officers, it shall direct the Personnel Committee to:
- a) Draw up a job description and person specification for the post;
  - b) Make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;
  - c) Make arrangements for a copy of the job pack referred to in Standing Order 24.2 a) to be sent to any person on request, and
  - d) Draw up a shortlist of qualified applicants for interview and appointment by the Authority.
- 24.3 Where no qualified person has applied, the Authority shall make further arrangements for advertisement in accordance with Standing Order 24.2 b).
- 24.4 All steps required under Standing Orders 24.2 and 24.3 in respect of the appointment of a Director shall be undertaken by the Personnel Committee.

## **25. DISCIPLINARY ACTION RELATING TO CHIEF OFFICERS**

- 25.1 No disciplinary action (other than action to which Standing Order 25.2 below applies) in respect of:
- a) The Head of the Authority's Paid Service;
  - b) The Monitoring Officer;
  - c) The Chief Finance Officer, or
  - d) An officer who was, but at the time the alleged misconduct is investigated no longer is, an officer referred to in a) to c) above where the alleged misconduct occurred during the period when the Officer was in such post
- may be taken by the Authority, or by a Committee or Sub-Committee, other than in accordance with a recommendation in a report made by a Designated Independent Person under Regulation 9 of the Local Authorities (Standing Orders) (Wales) Regulations 2006 (investigation of alleged misconduct) and as amended by the Local Authorities (Standing Orders) (Wales) (Amendment) Regulations 2014.
- 25.2 The action to which Standing Order 25.1 applies is suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; provided such suspension is on full pay and terminates no later than the expiry of two months beginning on the day on which the suspension takes effect.

## **26. THE AUTHORITY'S COMMON SEAL**

### **26.1 Custody of Common Seal**

The Common Seal of the Authority shall be kept in the custody of the Chief Executive.

### **26.2 Affixing the Common Seal**

The Common Seal of the Authority shall not be affixed to any document unless it relates to a transaction which has been authorised by a resolution of the Authority or of a Committee to which the Authority has delegated its powers in that behalf, or in pursuance of the delegated power of the Chief Executive.

### **26.3 Attestation of the Common Seal**

The Common Seal shall be attested by the Chief Executive or other Officer duly authorised in writing by him/her together with the Chair or a Member of the Authority. An entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be authenticated by one of the persons who attested the Common Seal.

## **27. SUSPENSION OF STANDING ORDERS**

27.1 Subject to Standing Order 27.2, any Standing Orders may be suspended so far as regards any business at the meeting where the suspension is moved.

27.2 A Motion to suspend Standing Orders shall not be moved without Notice unless there shall be present at least two thirds of the whole number of Members of the Authority or Committee.

## **28. VARIATION AND REVOCATION OF STANDING ORDERS**

Except for those Standing Orders derived from Statutory Authority, any Motion to add to, vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion, to the next Ordinary Meeting of the Authority.

## **29. INTERPRETATION OF STANDING ORDERS**

29.1 The decision of the Chair on all points of procedure, Points of Order and interpretation of Standing Orders shall be final and no debate may ensue thereon.

29.2 Reference in Standing Orders to:

“Chair” shall include Deputy Chair or other person presiding in the absence of the Chair.

“Committee” shall include Sub-Committee, Working Group and/or Panel.