

## **Standing Orders** **For Council Meetings**

### **3. Meetings Of The Council**

3.1 The Annual Meeting of the Council shall be held on a convenient day in May in accordance with the provisions of the Local Government Act 1972, and other meetings of the Council for the transaction of general business shall be held during the year on such dates and at such times as the Council may determine. (1972 Act, Schedule 12, paras 1 & 2).

3.2 If, after a summons has been issued to members of the council, the need to cancel the meeting arises, the Chief Executive (or the Corporate Head of Law and Governance in the absence of the Chief Executive), may withdraw the summons following consultation with the Mayor and the Leader of the Council. The members of the Council shall be notified of any decision made under this Standing Order and the reasons for it.

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#### **12. Speaking And Questions By The Public**

12.1 A member of the public who lives, works, attends an educational establishment, or owns or leases land in the Borough may ask one question or speak once at a Council meeting in accordance with this Standing Order. This right does not apply to the Annual meeting, a meeting convened primarily for the purpose of setting the budget or Council Tax, or an extraordinary Council meeting.

12.2 The question must be received by the Council's Chief Executive by 9.30 a.m. on the eighth working day before the Council meeting at which it is to be asked. (For a meeting on a Thursday, notice must arrive by 9.30 a.m. on the Monday of the previous week, if there are no intervening Bank Holidays). A person who wishes to speak or ask a question must submit a written request to the Council's Chief Executive. The written request must arrive by 12.00 noon on the fifth working day before the Council Meeting (i.e. for a meeting on Thursday the request must arrive by 12.00 noon on the Thursday beforehand).

12.3 The written request must state:

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- a) the topic the person wishes to speak about or the wording of the question he or she wishes to ask;
- b) an address, e-mail address, or fax number at which the person can be contacted before and after the meeting.
- c) whether the person lives, works, attends an educational establishment, or owns or leases land in the Borough if so, details.

12.4 The question or topic must relate to a matter which concerns the Council's powers or duties, or which affects the Borough or its inhabitants. It may not relate to a specific planning application or decision upon action under the Planning Acts, a specific application for a licence or permit of any kind, the personal affairs of any individual, or a matter which is exempt from disclosure or confidential under the 1972 Act. A question may not be asked again if it or one to the same effect has been asked within the previous six months.

12.5 Following receipt of a written request the Chief Executive will ensure that the applicant is contacted and told whether their request complies with paragraphs 12.1 to 12.4 above, and if so what the procedure will be at the meeting.

12.6 At the Council meeting the Mayor will call applicants who have satisfied 12.1 to 12.4 above in the order of receipt of their written requests until the time allowed under Standing Order 12.12 has expired.

12.7 On being called by the Mayor the member of the public will have a maximum of five minutes to speak on the topic which he or she requested, or to make any introductory remarks and to ask the question as set out in his request.

12.8 A question may be answered by the Mayor, the Leader of the Council, or an appropriate Committee Chairman or Vice-Chairman as determined by the Mayor. The Councillor called may decline to answer, or may give an answer:

- a) orally at the meeting; or

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- b) in writing despatched by the Corporate Head of Law and Governance as soon as possible after the meeting.

In either case the Councillor may refer to a publication where the answer, or further details, may be found. (if the Councillor declines to answer, the questions will not be referred to another Member).

12.9 If the questioner did not use the full five minutes in asking the question (not counting the Councillor's reply) he or she may ask one supplementary question within any time remaining, without any introductory or supporting remarks. The supplementary question must be relevant to the subject of the first question. The same Councillor shall be called to answer and shall have the same options as in 12.8 above.

12.10 No Councillor or member of the public may speak during this process except

- a) the Mayor;
- b) the member of the public in speaking on the nominated topic or in asking the specified question, under 12.7; or exercising the right to ask one relevant supplementary question under 12.9;
- c) the Councillor called upon to answer any such question and supplementary question.

12.11 After the member of the public has finished speaking on the specified topic, or as the case may be after the relevant Councillor has answered or declined to answer the specified question and any supplementary question, the Council shall proceed to the next business without any further comment.

12.12 The Mayor will continue calling applicants under 12.6 until thirty minutes have elapsed since the first was called. The applicant last called may complete his or her speech or question (including any supplementary question) and any answers may be given.

The Corporate Head of Law and Governance will ensure that a written response from the Councillor determined by the Mayor under 12.8 (who may decline to answer) is

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sent to any questioner whose question was accepted but who has not been dealt with.

The minutes of the meeting shall record any questions asked and answers (whether orally or in writing) either verbatim or as a fair summary.

### 13. Questions From Members Of The Council

- 13.1 i) A Member of the Council may not ask more than one question at any Council meeting, if the requirements of this Standing Order are satisfied.
- ii) The question must be for the Mayor, the Leader of the Council, or the Chairman of any Committee.
- iii) The question must relate to a matter which concerns the Council's powers or duties, or which affects the Borough or its inhabitants.
- iv) The Member asking the question must give written notice of it to the Chief Executive. The Notice must arrive by 9.30 a.m. on the eighth working day before the Council meeting at which he or she wishes to ask it. (For a meeting on a Thursday, notice must arrive by 9.30 a.m. on the Monday of the previous week, if there are no intervening Bank Holidays).
- v) Questions may not be submitted for the annual meeting of the Council.

13.2 Questions shall appear on the agenda in the order in which proper notice was received. At the meeting the Mayor shall call questions in the same order, unless he or she decides to vary it in order to group subject matters or for any other reasonable cause.

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13.3 Every question must be put and answered without debate or comment from any other Member. The Leader may ask the chairman of a committee to respond on his behalf. The person to whom a question has been put is not obliged to answer. If the person who has given notice to ask their question in accordance with Standing Order 13 is absent from the meeting, the Mayor shall move onto the next question or item of business (as appropriate) without calling upon the Leader or his delegate to provide a response.

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13.4 An answer may be given:

- (a) orally at the meeting; or
- (b) by referring to a publication where the relevant information may be found; or
- (c) in writing, to be circulated to Members of the Council by the Corporate Head of Law and Governance as soon as possible after the meeting.

13.5 If the person questioned answers at the meeting by method (a) or (b) above, the questioner may ask one supplementary question which must be relevant to the subject of the first question. The use of artificial first questions as a device for asking allowing an unforeseeable supplementary question is not permitted. If in the opinion of the Mayor a supplementary question does not reasonably and fairly relate to the subject matter of the first question, he may prohibit it and no response shall be offered to it. The questioner may not otherwise speak in response to the answer given, either to the original question or any supplementary question.

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13.6 After the original questioner has asked a supplementary question, declined to do so, or been prohibited from doing so, up to two other further members may be allowed to ask one supplementary question each, without prior notice, on the same conditions as set out in 13.5 above.

13.7 The Mayor shall allow 30 minutes (if necessary) for questions and their replies at the meeting. If a question is being dealt with at the time limit, the answer must be completed within 5 minutes. Other questions will be deferred to the next meeting of the Council.

14. the advice immediately. If the Officer is unable to offer the requested advice immediately, the Council must consider whether the matter should be referred to the appropriate Committee to allow the advice to be prepared and offered.

## 21. Ending Of Meeting By Resolution

21.1 If at least 3 hours have elapsed since a Council meeting began, any Member may move without comment that the meeting shall end at a specified time.

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21.2 The Mayor may refuse to accept the Motion if a Motion proposing a finish time has been rejected earlier in the same meeting. If the Motion is accepted, it shall be seconded and put without comment.

21.3 If the Motion is passed, when the time specified in it arrives:

- (a) no further points of order shall be raised except by the Mayor;
- (b) the Mayor shall interrupt the discussion of the question then before the meeting;
- (c) the Mayor must allow the mover of the Motion then under discussion to reply to the debate for not more than five minutes, unless he seeks leave to withdraw his Motion;
- (d) unless the Motion has been withdrawn, the Mayor shall put, without further discussion, all the questions necessary to dispose of that Motion;
- (e) all outstanding Committee recommendations must be deferred to the next suitable Council meeting;
- (f) Any Motions of which notice has been given under Standing Order 15 will be deferred to the next suitable Council meeting or, if the Member who has given notice so requests, to the next meeting of the appropriate Committee (as designated by the Mayor).
- (g) the Mayor shall then close the meeting.

## **22. Appointment Of Committees And Substitution Of Members**

22.1 Subject to sections 101 and 102 of the 1972 Act and other appropriate legislation, at their annual meeting the Council:

- a) shall approve the Constitution for the coming Municipal Year;

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- b) shall appoint policy and regulatory Committees and the Overview and Scrutiny Select Committees, the Standards and Audit Committee, the Licensing Committee, and any other Committees the Council deems appropriate in accordance with the Constitution. The terms of reference and numbers of voting Members of each committee shall be recorded in the Constitution;
- c) may resolve that non-voting Members shall also be appointed to any such committee where it is lawful to do so;
- d) if it resolves to make appointments under sub-paragraph (c), shall specify what number of appointments are to be made, and what functions in relation to the committee each person so appointed may exercise; and
- e) shall specify which Members of the Council shall be eligible for an appointment to a particular Committee in accordance with Standing Order 22.8, in place of any Member appointed under Standing Order 22.1 (b).

22.2 No Committee shall have power to appoint a Sub-Committee without the approval of the Council, unless the Sub-Committee is referred to in the Constitution.

22.3 The Council may at any time amend resolutions made under paragraph 22.1 in accordance with the 2000 Act.

22.4 Every committee set up under this Standing Order, and every sub-committee set up by such a committee, shall continue to discharge the functions committed to them until the Council or committee, as the case may be, resolve otherwise.

22.5 Subject to section 102(5) of the 1972 Act (councillor leaving office to cease to be a Member of a committee) and Standing Order 22.6 to 22.8, every person appointed as a voting Member of such a committee or sub-committee and every person appointed to exercise other functions in relation to a committee shall continue as such until the appointment is terminated by the authority.

22.6 Whenever

- a) the Council is required to review the allocation of seats on committees between political groups, or

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- b) the Council resolves to carry out such a review, or
- c) a committee is required to review the allocation of seats on a sub-committee between political groups, or
- d) a committee resolves to carry out such a review the Corporate Head of Law and Governance shall submit a report to the Council or committee (as the case may be) showing what allocation of seats would in his opinion best meet the requirements of section 15(4) of the 1989 Act.

22.7 In the light of such a report, the Council or committee, as the case may be, shall determine the allocation of seats to political groups.

22.8 Whenever -

- i. an appointment of a voting Member of a committee or sub-committee falls to be made in accordance with the wishes of a political group to whom the seat has been allocated, and
- ii. whenever such an appointment falls to be terminated in accordance with such wishes, then:

~~the Council or the relevant committee as the case may be, or~~ the Chief Executive, Corporate Head of Law and Governance, or Democratic Services Manager, shall make or terminate the appointment in accordance with the wishes of that political group (and this paragraph shall be treated as an arrangement for any of those Officers to perform that function under Section 101 of the 1972 Act).

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The wishes of a political group are to be taken as those expressed to the Chief Executive or the Corporate Head of Law and Governance or Democratic Services Manager:

- (a) orally or in writing by the leader of the group or by its representative as named in a notice given under regulation 8 (4) of the Local Government (Committees and Political Groups) Regulations 1990; or
- (b) in a written statement signed by a majority of the Members of the group.

In the event that different wishes of a political group are notified in accordance with paragraphs (a) and (b) above, the wishes notified in accordance with paragraph (b) shall prevail.

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A political group shall express its wishes as to any changes of appointments before the start of the earliest meeting at which they are to take effect, and shall comply with Standing Order 22.1 (e). If neither the Chief Executive nor the Corporate Head of Law and Governance or Democratic Services Manager is available to receive such expression of wishes, the proper officer for the purposes of the Local Government (Committees and Political Groups) Regulations 1990 shall be the most senior member present of the staff of the Corporate Head of Law and Governance, who shall also be authorised to effect the change of appointment in question.

- Note:
1. The Membership of the Licensing Committee is not subject to the political balance requirements of the 1989 Act and the above mechanism for changing appointments to it is therefore not available;
  2. Members of the Regulatory Committee must be Members of the Licensing Committee.

- 22.9 The Council may, at any meeting including the annual meeting, appoint a Chairman, or one or more Vice-Chairmen, or both for a committee in accordance with Standing Orders 31.7 and 31.8, provided that a Chairman or Vice-Chairman has not so far been appointed or elected in that municipal year.

### **Standing Orders For Meetings Of Committees And Sub-Committees**

#### **27. Committee And Sub-Committee Agendas And Timetable**

- 27.1 The Corporate Head of Law and Governance will prepare a timetable of Committee and Sub-Committee meetings each year and submit it to the Authority for approval. Meetings shall be organised in accordance with the approved timetable. The Corporate Head of Law and Governance may cancel a meeting if he and the Chairman of the Committee or Sub-Committee in question are both satisfied that there is insufficient business to justify the meeting being held, or for other reasons which in their view are sufficient. The date or starting time of a previously approved meeting of a committee may be changed with the consent ~~agreement~~ of the leaders ~~of all political groups~~ chair of the committee and a majority of its members. When a

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~~meeting is cancelled or the date is~~ the arrangements for a meeting of a committee are changed in accordance with this Standing Order, the Corporate Head of Law and Governance shall arrange for every Member of the Council to be notified in writing of the ~~cancellation or~~ change and of the reasons for it.

27.2 The Corporate Head of Law and Governance must send out an agenda at least five clear working days before every meeting of a Committee or Sub-Committee, or as soon as the meeting is called whichever is later. The agenda shall be sent to every person entitled to receive the papers of the Committee or Sub-Committee.

27.3 Subject to any requirements of the Chairman, the Corporate Head of Law and Governance must arrange the order of business on the agenda as he thinks will ensure the effective despatch of business.

27.4 The agenda must include:

- (a) all items of business referred to the Committee or Sub-Committee by the Council or another committee or sub-committee;
- (b) any reports submitted to the Committee or Sub-Committee by a Chief Officer;
- (c) any item of business which the Chairman requires to be included;
- (d) any other item of business within the Committee's Terms of Reference which two Members of the Committee or Sub-Committee request to be included by notice in accordance with Standing Order 27.5 below. No two Members may give notice of more than one item of business for any meeting under this provision.

27.5 Members who wish to request that a particular item of business be included on the agenda for a meeting must consult with the Chief Executive and other chief officers as appropriate, with a view to defining the scope of any such item, prior to giving notice under this Standing Order. Notice must be given in writing to the Chief Executive by 9.30am of the twentieth working day before the meeting. ~~Members who wish to request that a particular item of business be included must give notice in writing to the Chief Executive by 9.30 a.m. on the eighth working day before the date of the meeting.~~

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- 27.6 If it is impossible to include a report on a particular item on the Agenda before it is despatched, or if a report is proposed to be put to the meeting as a matter of urgency in special circumstances under Section 100 B of the Local Government Act 1972, the Corporate Head of Law and Governance shall circulate it to every person entitled to receive the papers of the Committee or Sub-Committee as soon as practicable after it has been prepared. Wherever possible, all Members of the Council would be given advance warning by email of any such reports. In cases where it is not possible due to operational or administrative reasons to include a report requested by a Member on an Agenda for the meeting in question it will be included on the Agenda for a subsequent meeting.
- 27.7 An item of business specified on the agenda for the meeting may be withdrawn before the meeting starts by the Chief Executive, Corporate Head of Law and Governance, or whose Department is responsible for the subject matter, with the agreement of the Chairman. In such a case no Motion shall be moved thereon, and the item shall not be subject to comment by any Member except the Chairman announcing the withdrawal.

**Voting on nominations and appointments to outside bodies**

- 39.6 Unless Standing Order 5 or 6 applies, any Member seeking nomination to outside/internal bodies (excluding formal Committees) ~~must~~ are encouraged to complete and submit a nomination form by the date notified. Consideration of nominations will normally be considered by Corporate Management Committee in ~~May~~ June. Any nominations received by the date notified will be included with the agenda for the Corporate Management Committee. Voting on appointments will be by hand and no debate or new nominations are allowed at this stage. Nomination forms ~~would~~ are not ~~be~~ required for a small number of charitable trusts as the Trusts themselves proactively seek appointees which are then recommended to the Council by the Trusts for appointment. The Trusts themselves undertake the necessary suitability checks required by the Charity Commission before recommending a suitable appointment to Council. Council ~~is~~ will be asked to note the recommendation from the Trust as to candidate for office and appoint in accordance with the recommendation of that body.

If more names have been nominated than the number of vacancies, the following procedure shall be followed:-

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- (a) each Member shall be entitled to vote for as many different individuals as there are vacancies, but need not use all or any of his votes;
- (b) for a single vacancy, the person presiding shall put the names of the candidates to the meeting in alphabetical order and the Members voting for each candidate shall indicate their votes by raising their hands;
- (c) if there are two or more vacancies on the body in question, an appropriate officer shall call the name of each Member present who shall thereupon state for which candidate or candidates (if any) he is voting. The officer shall keep a tally of votes cast for each person nominated and shall inform the person presiding;
- (d) The vacancy or vacancies shall be filled by the nominee or nominees with the greatest number of votes, provided that each received votes from more than half of the Members present and voting (or half together with the Chairman's second or casting vote). The Chairman or an appropriate officer shall announce the voting figures, and shall identify the successful candidates, to the meeting.
- (e) If all the vacancies cannot be filled by candidates satisfying (d) above the candidate with the smallest number of votes shall be struck from the list (subject to this paragraph) and the voting process shall be repeated until this requirement is satisfied for all vacancies. Any candidate whose election has satisfied (d) above is elected. If at least one candidate has been elected, no other candidates will be struck from the list for the next vote.
- (f) Any Member may request that the vote on a nomination or appointment be recorded. In such event the vote shall be taken by the method set out in paragraph (c) above regardless of the number of vacancies.

39.7 Members are able to propose further nominations at the Corporate Management Committee without a nomination form. The Council accepts that if there are no nominations for positions on outside bodies received and considered at the June meeting of Corporate Management Committee then those positions will remain vacant and no nominations will be considered for the remainder of the municipal year.

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NOTE: If, after the annual meeting of the annual Council in May, there are vacancies to other organisations (such as the various Surrey Leaders' Group bodies) considered at that meeting, nominations can be submitted for those positions at subsequent meetings of the Council, where this is an item on the agenda for such meetings. If, after the annual meeting of the Council, there remain vacancies on outside bodies, group leaders will be permitted to submit nominations to Democratic Services up to one clear working day before the meeting of the next available ordinary Corporate Management Committee.

39.8 A member appointed to an outside body shall be ~~required~~encouraged to submit a report at the conclusion of their tenure (and before the closing date for written nominations for the next year) supplying the following, for circulation to all members of the Council:

- Details of the number of meetings they have attended
- An overview of the topics discussed, or copies of supporting papers supplied to them by the outside body (subject to respecting any confidentiality arrangements with the outside body).
- The outside body's terms of reference.