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## **COUNCIL STANDING ORDERS**

### **STANDING ORDER 1 MEETINGS OF THE COUNCIL**

- (1) The Annual Meeting and other meetings of the Council shall be held at any venue considered suitable, on such dates and times as may be determined by the Strategic Director Corporate Resources in consultation with the Leader of the Council.
- (2) In addition to ordinary meetings, those listed below may request the proper officer to call Extraordinary Council meetings:-
  - (i) the Council by resolution
  - (ii) the Lord Mayor
  - (iii) any five members of the Council if they have signed a requisition presented to the Leader of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition
  - (iv) the Monitoring Officer.

### **STANDING ORDER 2 ELECTION OF LORD MAYOR, AND DEPUTY LORD MAYOR**

- (1) The Lord Mayor shall be elected at the Annual Meeting of the Council.
- (2) The Deputy Lord Mayor shall then be appointed at the Annual Meeting of the Council.

### **STANDING ORDER 3 CHAIR OF MEETING**

- (1) Any power or duty of the Lord Mayor in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

### **STANDING ORDER 4 QUORUM OF COUNCIL**

- (1) If during any meeting of the Council the Chair, after counting the numbers of members present, declares that there is not a quorum present (i.e. one-third of total membership), the meeting shall stand adjourned. The consideration of any business not transacted shall be adjourned to the next ordinary meeting of the Council.

### **STANDING ORDER 5 ORDER OF BUSINESS AT ORDINARY MEETINGS OF THE COUNCIL**

- (1) Except as otherwise provided by paragraph (2) of this Standing Order, the order of business at every ordinary meeting of the Council shall be:-
  - (a) To choose a person to preside if the Lord Mayor and Deputy are absent.
  - (b) To deal with any business required by statute to be done before any other business.
  - (c) To approve as a correct record and sign the minutes of the last meeting of the Council.

- (d) To deal with any business expressly required by statute to be done.
  - (e) Lord Mayor's Communications and to receive any announcements from the Leader of the Council, or the Head of Paid Service.
  - (f) To dispose of business (if any) remaining from the last meeting.
  - (g) To receive and consider reports, minutes and recommendations of Committees.
  - (h) To consider motions in the order in which notice has been received.
  - (i) Other business, if any, specified in the summons.
- (2) Business falling under items (a), (b) or (c) of paragraph (1) shall not be displaced, but the order of business may be varied:-
- (a) by the Lord Mayor at his/her discretion;
  - (b) by a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

#### **STANDING ORDER 6 NOTICES OF MOTION AT COUNCIL**

- (1) Except as provided by [Standing Order 7](#), a motion shall not be proposed at a meeting of the Council unless notice in writing, signed by the member/members of the Council, is given to the Democratic Services Manager not later than 10:00 am 5 clear working days before the meeting of the Council.
- (2) The Democratic Services Manager shall date and number all such motions received and enter them in a book which shall be open to inspection to every member of the Council.
- (3) The Democratic Services Manager shall in the summons for a meeting of the Council, include all such notices of motion duly given to him/her, in the order in which he/she receives them, (unless a member when giving such notice has indicated in writing that he/she proposes to move the motion at some later meeting, or has since withdrawn it in writing).
- (4) If a motion, notice of which has been set out in the summons, is not moved by the Member who has given it, or in his/her absence by some other member on his/her behalf, it shall unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (5) A Notice of Motion shall be debated at the Council meeting at which it is brought forward, unless the Council decides that it shall stand referred to a Committee, by reason of legal, financial or other relevant considerations. That Committee shall consider the Notice of Motion and report back to Council in due course.
- (6) Every motion shall be relevant to some matter in relation to which the Council has powers or duties or which affects the City.

**STANDING ORDER 7  
MOTIONS AND AMENDMENTS  
WHICH MAY BE MOVED WITHOUT NOTICE AT COUNCIL**

The following motions and amendments may be moved without notice:-

- (1) Appointment of a Chair of the meeting at which the motion is made.
- (2) Motions relating to the accuracy of the minutes.
- (3) That an item of business specified in the summons have precedence.
- (4) Reference back to a Committee.
- (5) Appointment of a Committee or members thereof, occasioned by an item mentioned in the summons to the meeting.
- (6) To adopt reports and recommendations of the Executive, Committees or officers and consequent resolutions.
- (7) That leave be given to withdraw a motion.
- (8) Amendments to motions, other than those specified in [Standing Order 10\(7\)](#)
- (9) That the Council proceed to the next business.
- (10) That the question be now put.
- (11) That the debate be now adjourned.
- (12) That the Council do now adjourn.
- (13) To suspend Standing Orders, in accordance with [Standing Order 48](#).
- (14) Motion under Section 100A of the Local Government Act 1972 to exclude the public.
- (15) That a member named under Standing Order 24 be not further heard or do leave the meeting.
- (16) Giving consent of the Council where the consent of the Council is required by these standing orders.

**STANDING ORDER 8  
QUESTIONS AT COUNCIL**

- (1) (a) a member of the Council may ask the Chair of a Committee or the Leader of the Council, any question on an item under consideration by the Council.

Provided always that the Leader may ask an Executive member with relevant portfolio to respond on his/her behalf.

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- (b) the Chair of any Scrutiny Committee shall respond to any question relating to an issue considered by that Committee, save where the issue falls to be dealt with through the Executive minutes at a later stage in the meeting of Council. In such circumstances, the Leader (or such other Executive member with relevant

portfolio he/she may appoint) will respond in accordance with [Standing Order 12\(3\)](#).

- (2) Every question shall be put and answered without discussion.
- (3) A member of the Council may:-
  - (a) Ask the Chair of the Committee, or the Leader of the Council any question on any matter for which the Council has powers, duties or which affects the City, provided that he/she has submitted to the Democratic Services Manager a written copy of such question(s) by not later than 10:00 am the working day preceding the Council meeting.  
  
Provided always that the Leader may ask any Executive member with relevant portfolio to respond to the question.
  - (b) Where a reply cannot conveniently be given orally to the questioner or where insufficient notice has prevented a complete enquiry from being made, a written reply shall be given to all Councillors as soon as practicable after the Council meeting.
  - (c) One supplementary question shall be permitted in respect of each question.
  - (d) A copy of the question(s) will be made available to Councillors at the beginning of the Council Meeting.
- (4) An answer may take the form of:-
  - (a) a direct oral answer; or
  - (b) where the desired information is contained in a published document, a reference to that publication.

#### **STANDING ORDER 9 COUNCIL MINUTES**

- (1) The Chair shall put the question that the minutes of the meeting of the Council, held on the.....day of.....be approved as a correct record.
- (2) No discussion shall take place upon the minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Lord Mayor shall sign the minutes.
- (3) The minutes of the preceding Council meeting shall be put to the next ordinary meeting of the Council.
- (4) The minutes of an Extraordinary meeting of the Council shall be approved and signed by the Chair of the next ordinary meeting of the Council in accordance with paragraph 41(1) and (2) of Schedule 12 of the Local Government Act 1972.

#### **STANDING ORDER 10 RULES OF DEBATE FOR COUNCIL MEETINGS**

## **MOTIONS AND AMENDMENTS**

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded and unless notice has already been given in accordance with [Standing Order 6](#) it shall, if required by the Lord Mayor, be put into writing and handed to the Lord Mayor before it is further discussed or put to the meeting.

## **SECONDER'S SPEECH**

- (2) A member when seconding a motion or amendment may, if he/she then declares his /her intention to do so, reserve his/her speech until a later period of the debate. Only one member shall stand at one time.

## **SPEAKER TO ADDRESS THE LORD MAYOR**

- (3) A member when speaking shall stand and address the Lord Mayor. If two or more members rise, the Lord Mayor shall call on one to speak; the other/others shall then sit. While a member is speaking the other members shall remain seated, unless rising to a point of order or in personal explanation.

## **CONTENT OF SPEECHES**

- (4) A member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

## **WHEN A MEMBER MAY SPEAK AGAIN**

- (5) A member who has spoken on any motion shall not speak again whilst it is the subject of debate, except:-
  - (a) to speak once on an amendment moved by another member;
  - (b) if the motion has been amended since he/she last spoke, to move a further amendment;
  - (c) 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;
  - (d) in exercise of a right of reply given by paragraph [\(12a\)](#) or [\(12b\)](#) of this Standing Order;
  - (e) on a point of order;
  - (f) by way of personal explanation.

## **AMENDMENTS TO MOTIONS**

- (6) An amendment shall be relevant to the motion and shall be:-
  - (a) to refer a subject of debate to a Committee or elsewhere for consideration or reconsideration;
  - (b) to leave out words;

- (c) to leave out words and insert or add words;
- (d) to insert or add words;
- (e) as long as the effect is not to negate the motion.

but such omission, insertion or addition of words shall not have the effect of introducing a new proposal into the motion before the Council.

- (7) Any amendment which would, if adopted, have an effect on the Council's revenue or capital finance shall not be considered at the meeting of the Council at which the level of the Council Tax is set for the ensuing financial year unless prior written notice has been given to the Democratic Services Manager, 3 clear working days in advance of such meeting, to enable the Chief Executive and/or the Chief Finance Officer to report to the Council on the financial implications of such amendment.
- (8) 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.
- (9) If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

#### **ALTERATION TO MOTION**

- (10) A member may, with the consent of the Council, signified without discussion:-
  - (a) alter a motion of which he/she has given notice, or
  - (b) with the further consent of his/her seconder, alter a motion which he/she has moved (except a motion of which he/she has given notice under [Standing Order 6](#))

if (in either case) the alteration is one which could be accepted as an amendment.

#### **WITHDRAWAL OF MOTION**

- (11) A motion or amendment, including a Notice of Motion under [Standing Order 6](#), may be withdrawn by the mover with the consent of his/her seconder and of the Council, 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 shall have been refused.

#### **RIGHT OF REPLY**

- (12a) Except as set out in (12b) below, the mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the amendment shall have the right of reply at the close of the debate on his/her amendment prior to the mover of the original motion. The mover of the original motion shall have a right of reply at the close of the debate on the amendment but shall not otherwise speak on the amendment.

- (12b) Where an amendment is moved in respect of a minute of the Executive falling within the remit of a portfolio holder, that portfolio holder may at the request of the Leader exercise the right to reply.

### **MOTIONS WHICH MAY BE MOVED DURING THE DEBATE**

- (13) When a motion is under debate no other motion shall be moved except the following:-
- (a) to amend the motion;
  - (b) to adjourn the meeting;
  - (c) to adjourn the debate;
  - (d) to proceed to the next business;
  - (e) that the question be now put;
  - (f) that a member be not further heard;
  - (g) by the Lord Mayor under [Standing Order 24](#) that a member do leave the meeting;
  - (h) a motion under Section 100A of the Local Government Act 1972 to exclude the public.

### **CLOSURE MOTIONS**

- (14) A member may move without comment at the conclusion of a speech of another member that:-
- (i) “the Council proceed to the next business”,
  - (ii) “the question be now put”,
  - (iii) “the debate be now adjourned”
  - (iv) “the Council do now adjourn”

Following the seconding of which (also without comment), the Chair shall proceed as follows:-

- (a) On a motion to proceed to the next business:  
Unless in his/her opinion the matter before the meeting has been insufficiently discussed, (in which case the proposal shall be refused) it shall be put to the vote. The mover of the original motion shall not have a right of reply under [paragraph \(12\)](#) before putting the motion to the vote;
- (b) On a motion that the question be now put:  
Unless in his/her opinion the matter before the meeting has been insufficiently discussed, (in which case the proposal shall be refused) it shall be put to the vote and if it is passed, the Chair shall give the mover of the original motion his/her right of reply under [paragraph \(12\)](#) of this Standing Order before putting the motion to the vote;
- (c) On a motion to adjourn the debate or the meeting:

If in his/her opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion, he/she shall put the adjournment motion to the vote without giving the mover of the original motion his right of reply and if it is passed, adjourn the debate and/or the meeting forthwith.

### **POINTS OF ORDER**

- (15) A member may rise on a point of order or in personal explanation and shall be entitled to be heard immediately. 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 way in which he/she considers it has been broken. A personal explanation shall be confined to some material part of a former speech by him/her which may appear to have been misunderstood in the present debate.
- (16) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

### **RESPECT OF CHAIR**

- (17) Whenever the Chair rises during a debate a member then standing shall resume his/her seat and the Council shall be silent.

### **STANDING ORDER 11 COMMITTEE MINUTES**

- (1) The minutes of a Committee shall be presented, formally and without comment (except with the permission of the Lord Mayor), by the Committee Chair or such other person acting on his/her behalf and then put to the Council. Once moved a member can ask a question of clarification on any item that the committee has considered.
- (2) Notwithstanding anything in this Standing Order, the Committee Chair or such person acting on his/her behalf, shall have the right of reply to any amendment under [Standing Order 10\(6\)](#) and he/she shall reply to questions on any item on the minute when the debate on that item has been concluded.
- (3) The minutes of the preceding committee meeting shall be put to the next ordinary meeting of the committee for signature by the Chair as an accurate record of the proceedings.

### **STANDING ORDER 12 EXECUTIVE MINUTES**

- (1) The minutes of the Executive shall be presented formally by the Leader, or such other person acting on his/her behalf, and then put to the Council. Recommendations to Council will be proposed and seconded.
- (2) Notwithstanding anything in this Standing Order, the Leader (or such other Executive member with relevant portfolio as he/she appoints) shall answer questions put by members and have the right to reply to any amendment under [Standing Order 10\(12\)](#).

Replies to questions on any item on the minutes on which an amendment has been moved shall be dealt with when the debate on the amendment has been concluded.

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- (3) The Leader (or such other Executive member with relevant portfolios he/she may appoint) shall deal with any questions asked of the Chair of a Scrutiny Committee when the relevant minute of the Executive is presented to Council.
- (4) The minutes of the preceding Executive meeting shall be put to the next ordinary meeting of the Executive for signature by the Chair as an accurate record of the proceedings.

**STANDING ORDER 12(A)  
CONFLICT RESOLUTION - DRAFT PLANS AND STRATEGIES**

- (1)
  - (a) This Standing Order only applies where a dispute arises between full Council and the Executive when setting the policy framework for the ensuing year.
  - (b) This Standing Order may not be invoked in respect of a function that is the sole responsibility of the Executive.
- (2) Where the Executive has submitted a draft plan or strategy for approval and following consideration of the draft plan or strategy, the Council has objections to it, then before the Council:-
  - (a) Amends the draft plan or strategy
  - (b) Approves, for the purpose of its submission to the Secretary of State or any Minister of the Crown for his approval any plan or strategy of which any part is required to be so submitted OR
  - (c) Adopts the plan or strategy (with or without modification) it must inform the Leader of those objections and instruct him/her to require the Executive to reconsider, in the light of those objections, the draft plan or strategy.
- (3) The Council must specify a period of at least 5 working days (beginning the day after the date on which the Leader receives notice of the objection) during which period the Leader may:-
  - (a) Submit a revised plan or strategy, together with the Executive's reasons for any amendments so made.
  - (b) Inform the Council of any disagreement the Executive has with the Council's objections giving its reasons for any such objections.
- (4) Once the time limit set out in Standing Order 12(A)(3) above has expired, the Council must when amending, approving or adopting the revised plan or strategy, take account of the Leader's response.

**STANDING ORDER 12(B)  
CONFLICT RESOLUTION – BUDGET ESTIMATES**

- (1)
  - (a) This Standing Order only applies where a dispute arises between full Council and the Executive when setting the budget for the ensuing year.
  - (b) This Standing Order may not be invoked in respect of a function that is the sole responsibility of the Executive.
- (2) Where before the 15<sup>th</sup> February in any financial year, the Executive has submitted estimates of amounts for approval and following consideration of the estimate of amount, the Council has objections to it, then before the Council approves the amount, it must inform the Leader of those objections and instruct him/her to require

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the Executive to reconsider, in the light of those objections, the estimate of amount put forward for approval.

- (3) The Council must specify to the Leader a period of at least 5 working days (beginning the day after the date on which the Leader receives notice of the objection) during which period, the Leader may:-
  - (a) Submit a revision of the estimates or amounts, together with the Executive's reasons for any amendments so made OR
  - (b) Inform the Council of any disagreement the Executive has with the Council's objections giving its reasons for any such objections.
- (4) Once the time limit set out in Standing Order 12(B)(3) has expired, the Council must when amending, approving or adopting the estimate or amount, take account of the Leader's response.
- (5) For the avoidance of doubt, the provisions of Standing Order 12(B) shall not apply in relation to amounts stated in a precept.

### **STANDING ORDER 13 DECISIONS OF THE EXECUTIVE**

- (1)
  - (a) A notice setting out all Executive decisions shall be published within two working days of the meeting. A copy of such notice shall be sent to all members electronically.
  - (b) Where a key decision has been delegated to an Executive member or an officer, then any such decision shall be recorded and published on the Friday following the decision with notice of Call-In to be required within 5 working days. This shall be sent to all members electronically.
  - (c) The notice published in accordance with Standing Order 13(1)(a) must include:-
    - a record of the decision.
    - a record of the reasons for the decision.
    - details of the options considered and rejected by the Executive committee.
    - a record of any conflict of interest declared by any member, together with a note of any dispensation granted by the Monitoring Officer.
  - (d) The notice published in accordance with Standing Order 13(1)(b) must include:-
    - a description of the matter including the officer's report
    - the name of the Executive member exercising the delegated authority where the decision is made under SO 13(1)(b)
    - the decision together with the reasons for it
    - the options considered
    - who was consulted before the decision was made
    - the date when the decision was made
    - any corporate, financial legal, human resources or other management implications
    - background papers
- (2)
  - (a) All decisions published in accordance with this Standing Order shall come into force 5 working days after publication unless called in by a Scrutiny Committee.

- (b) For the avoidance of doubt, a decision shall come into force immediately where the matter in question is urgent as defined in Standing Order 17(6)(c)(ii).
- (3) Minutes of the Executive meeting shall be published and circulated to all members electronically as soon as is reasonably practicable after they are finalised.

**STANDING ORDER 14  
KEY DECISIONS IN EXECUTIVE MEETINGS**

- (1) A key decision may not be taken by the Executive unless:
  - (a) Notice in the form of a Forward Plan has been published in connection with the matter in question and circulated to all members electronically.
  - (b) At least five clear days have elapsed since the publication of the Forward Plan containing notice of the relevant item.
  - (c) Members of the Executive have been given five clear working days' notice of the meeting to which they are summoned, unless the meeting is convened at shorter notice as a matter of urgency.
- (2) The Head of Paid Service, the Chief Finance Officer and the Monitoring Officer or their nominees are entitled to attend any meeting of the Executive where a key decision is being taken. The Executive may not meet unless these officers have been given reasonable notice that a meeting is to take place.
- (3) A key decision is defined in the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 as may be amended/varied from time to time.

**STANDING ORDER 15  
NOTICE OF EXECUTIVE MEETINGS**

- (1) Five clear working days' notice of Executive meetings will be given to the Executive members, unless the meeting is convened at shorter notice as a matter of urgency.

**STANDING ORDER 16  
EXECUTIVE DECISIONS OUTSIDE BUDGET/POLICY FRAMEWORK**

- (1) Unless Standing Order 16(2) applies, the Executive, individual members of the Executive and any officers discharging Executive functions may only take decisions which are in line with the Council's budget and policy framework.
- (2) The Executive, individual members of the Executive and officers may take a decision which is contrary to the Council's policy framework or contrary to or not wholly in accordance with the budget approved by full Council where such a decision is required a matter of urgency as defined in Standing Order 17(6)(c)(ii).
- (3) Urgent decisions may only be taken in accordance with Standing Order 16(2) above where:-
  - (a) it is not practical to convene a meeting of full Council
  - (b) the Chair of the relevant Scrutiny Committee agrees that the decision is urgent.

- (4) The reasons why it is not practical to convene a meeting of full Council and the Chair of the relevant Scrutiny Committee's consent to the decision being taken as a matter of urgency must be noted on the record of decision. In the absence of the Chair of the relevant Scrutiny Committee the consent of the Lord Mayor or in the absence of both, the consent of the Deputy Lord Mayor is required.
- (5) The Leader shall submit to the Local Authority at quarterly intervals a report setting out all urgent decisions taken in accordance with Standing Order 16(2). This shall include the reasons why the matter was considered urgent.

#### **STANDING ORDER 17 SCRUTINY OF EXECUTIVE RESOLUTION (CALL-IN)**

- (1)
  - (a) A special meeting of a relevant Scrutiny Committee shall be called to consider a decision made by an Executive Committee or Executive member published in accordance with [Standing Order 13\(1\)](#) provided the reasons for Call-In fall within the criteria set out in paragraph 5 of the Executive Procedure Rules.
  - (b) Any such Call-In shall require notice in writing delivered to the Democratic Services Manager not later than 10.00 am 5 days after publication of the decision by at least seven Scrutiny members, irrespective of the Scrutiny Committee on which they serve.
- (2) The special meeting must normally take place within 5 working days of receipt of such notice.
- (3) In order to ensure the decisions of the Executive are not unnecessarily impeded, the reasons for call-in must be one of the following criteria:
  - The process by which the decision was made was deficient in some way;
  - The decision-maker failed to consider alternative courses of action;
  - The decision-maker failed to take account of relevant factors;
  - The decision-maker was wrong in fact or law (the caller-in must state why).
- (4) The Chair of that meeting may call the appropriate Executive member/s and/or officer/s of the Council to attend to answer any questions regarding the matter called in for scrutiny.
- (5) A member of the Scrutiny Committee may ask any Executive member with relevant portfolio any question on an item which has been called in under Standing Order 17(3).
- (6) After consideration of a decision, the Scrutiny Committee may:-
  - (a) resolve to take no further action.
  - (b) refer the matter back to the Executive for reconsideration, setting out in writing the reason for its request.
  - (c) refer the matter to Council who may refer the decision back to the Executive for reconsideration setting out in writing the reasons for its request.

Provided always that where the decision is required to be made by the Executive, the Executive may or may not amend its decision.

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- (7) (a) Where notice in accordance with Standing Order 17(1) is not delivered to the Democratic Services Manager, any decision made by the Executive and/or officer with delegated authority for a key decision shall be final.
- (b) A decision made by the Executive and/or officer with delegated authority for a key decision may only be called in once for re-consideration.
- (c) The Call-In procedure set out in this Standing Order shall not apply:-
- (i) to any report/item already considered by the appropriate Scrutiny Committee prior to the decision being made by the Executive or officer with delegated authority for a key decision; or
- (ii) where the decision taken is urgent. A decision is urgent where the interests of the Council or public require immediate action and any delay caused by the call in process would prejudice the interests of the Council or the public.

### **STANDING ORDER 18 SCRUTINY COMMITTEE AGENDA**

- (1) Any member shall be entitled to give written notice to the Democratic Services Manager not later than 10.00 am, 8 clear working days in advance of the meeting that he/she requires an item relevant to the functions of the Scrutiny Committee to be included in the agenda of the next meeting.
- (2) Where a Scrutiny Committee conducts a review or scrutinises a matter which also falls, whether in whole or in part, within the remit of another Scrutiny Committee, before submitting its findings to the Executive or Council for consideration, the report of one Scrutiny Committee shall be considered by the other Scrutiny Committee for comment. Those comments shall be incorporated into the report which shall then be sent to the Executive or Council for consideration.

### **STANDING ORDER 19 SPEAKING AT COUNCIL, EXECUTIVE AND SCRUTINY COMMITTEES**

#### **(1) Questions by the public**

- (a) A member of the public may ask questions at all meetings of the Council, the Executive and Scrutiny Committees except the Annual Council and special meetings. These questions may be addressed to the Leader of the Council, Executive members or Chairs of the Scrutiny Committees.
- (b) Questions submitted for meetings of the Council or Scrutiny Committees; must be about something the Council is responsible for.
- (c) Questions submitted for meetings of the Executive, must relate to an item on the agenda for that meeting.
- (d) Questions at a specially convened meeting of a Scrutiny Committee in accordance with [Standing Order 17](#) (Call In) shall be restricted to questions about the subject matter of the decision being called in.
- (e) The same question cannot be asked at more than one meeting.

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## **(2) Giving Notice of questions**

- (a) Questions must be submitted to the Proper Officer at least three clear working days before the meeting. Each question must include the name and address of the person asking it showing clearly who it is addressed to.
- (b) The proper officer may wish refuse to include a question when it is:-
  - i. Defamatory, frivolous or offensive
  - ii. Requires disclosure of confidential or exempt information.

## **(3) Number of questions**

- (A) Members of the public cannot ask more than one question per meeting. If more than one question is received or a single question contains a number of component questions then only the first question will be accepted.
- (B) One supplementary question is permitted provided it is based on the response given to the original question.

## **(4) Asking and answering the question**

- (A) The Lord Mayor, Leader of the Council or Chair of Scrutiny meeting will ask the questioner to ask their question. A response to the question will be given at the meeting and will also be put in writing and circulated at the meeting.
- (B) If the questioner is not present or an answer cannot be given on the day of the meeting, then the question and response will be published on the website 5 working days of the meeting.

## **(5) Length of questions**

- (A) 50 words are normally sufficient to frame a clear and direct question. Therefore questions will be no more than 50 words.

## **(6) Total length of questions**

- (a) The Council, Executive or Scrutiny Committee will spend no longer than 15 minutes dealing with questions. If it cannot take all the questions, it will take them in the order that notice was given of them (except that those members of the public who have not already asked a question at previous Council, Executive or Scrutiny Committee meetings will be heard first) until there is no time left.

### **STANDING ORDER 19A PUBLIC SPEAKING AT PLANNING COMMITTEE**

1. A member of the public may address the Planning Committee on any application being considered by that Committee, provided that:-
  - (a) the person has indicated a wish to speak, by contacting the Democratic Services Manager not later than 10:00 am two working days in advance of the meeting of the Committee;
  - (b) only one person may speak in support of the application and one person against, and unless the persons concerned nominate a spokesperson, priority will be given to the first person to have indicated a wish to speak, or otherwise at the discretion of the Chair;

- (c) each speaker may speak for a maximum of five minutes; and
  - (d) a speaker's address should be limited to planning matters and must not be offensive or defamatory.
2. Persons speaking under this Standing Order will be heard after any member of the Council speaking under [Standing Order 44](#), but before the presentation by an officer and members of the Committee debate the application. A speaker against the application will be heard before a speaker in support of it.
  3. Members of the Committee may ask questions of a speaker, and the speaker may answer, by way of clarification only. The time for questions of any speaker at planning committee shall be limited to five minutes per speaker.
  4. A speaker may not during the committee distribute any additional documentation, photos or any other materials that were not provided to the Democratic Services Manager when registering to speak.

**STANDING ORDER 20**  
**QUESTIONS TO PORTFOLIO HOLDERS AT SCRUTINY COMMITTEE MEETINGS**

- (1) A member of the Scrutiny Committee or other Council member may, in the time set aside for such business:-
  - (a) Ask an Executive member with relevant portfolio any question on any matter for which the Scrutiny Committee has powers, duties and responsibilities at the place on the agenda allocated for questions to Portfolio Holders.
  - (b) If a full reply cannot be given at the meeting, a written reply shall be given to the questioner as soon as practicable after the Scrutiny Committee meeting, a copy of which shall be circulated to all members electronically.
  - (c) One supplementary question shall be allowed in relation to the subject of the original question.
  - (d) Every question shall be put and answered without debate.
- (2) An answer may take the form set out in [Standing Order 8\(4\)](#)

**STANDING ORDER 21**  
**PETITIONS**

- (1) Every petition addressed to the Council or the Lord Mayor shall be presented to the Council as a Lord Mayor's communication and thereafter dealt with in accordance with the Council's Petitions Scheme set out in Part 5 of the Constitution.

**STANDING ORDER 22**  
**MOTIONS AFFECTING PERSONS EMPLOYED**  
**BY THE COUNCIL**

- (1) No discussion shall take place at any meeting of the Council, its Committees or the Executive to which the provisions of Section 100 of the Local Government Act 1972 applies, as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct of any person employed by the Council, until the Council, Committee or Sub-Committee has resolved in accordance with the

provisions of Section 100A(4) of the Local Government Act 1972 whether or not to exclude the press and public from the meeting.

### **STANDING ORDER 23 EXCLUSION OF THE PUBLIC**

- (1) Members of the public may attend all meetings of the Council, Executive, Committees and Sub-Committees, unless in view of the nature of the business to be transacted or nature of the proceedings, confidential information or exempt information would be disclosed.
- (2) Confidential information means information given to the Council by a government department on terms which forbids its public disclosure or information which cannot be publicly disclosed by court order.
- (3) Exempt information means information defined as such in Schedule 12A to the Local Government Act 1972 which is reproduced below:

#### **Part 1**

##### **Descriptions of Exempt Information: England**

- 1 Information relating to any individual.
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes—
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

#### **Part 2**

##### **Qualifications: England**

- 8 Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under—
  - (a) the Companies Act 1985;
  - (b) the Friendly Societies Act 1974;
  - (c) the Friendly Societies Act 1992;
  - (d) the Industrial and Provident Societies Acts 1965 to 1978;
  - (e) the Building Societies Act 1986; or
  - (f) the Charities Act 1993.

- 9 Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
- 10 Information which—
- (a) falls within any of paragraphs 1 to 7 above; and
  - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above, is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **Part 3**

#### **Interpretation: England**

- 11 (1) In Parts 1 and 2 and this Part of this Schedule—
- “employee” means a person employed under a contract of service;
- “financial or business affairs” includes contemplated, as well as past or current, activities;
- “labour relations matter” means—
- (a) any of the matters specified in paragraphs (a) to (g) of section 218(1) of the Trade Union and Labour Relations (Consolidation) Act 1992 (matters which may be the subject of a trade dispute, within the meaning of that Act); or
  - (b) any dispute about a matter falling within paragraph (a) above; and for the purposes of this definition the enactments mentioned in paragraph (a) above, with the necessary modifications, shall apply in relation to office-holders under the authority as they apply in relation to employees of the authority;
- “office-holder”, in relation to the authority, means the holder of any paid office appointments to which are or may be made or confirmed by the authority or by any joint board on which the authority is represented or by any person who holds any such office or is an employee of the authority;
- “registered” in relation to information required to be registered under the Building Societies Act 1986, means recorded in the public file of any building society (within the meaning of that Act).
- (2) Any reference in Parts 1 and 2 and this Part of this Schedule to “the authority” is a reference to the principal council or, as the case may be, the committee or sub-committee in relation to whose proceedings or documents the question whether information is exempt or not falls to be determined and includes a reference—
- (a) in the case of a principal council, to any committee or sub-committee of the council; and
  - (b) in the case of a committee, to—
    - (i) any constituent principal council;
    - (ii) any other principal council by which appointments are made to the committee or whose functions the committee discharges; and
    - (iii) any other committee or sub-committee of a principal council falling within sub-paragraph (i) or (ii) above; and

- (c) in the case of a sub-committee, to—
  - (i) the committee, or any of the committees, of which it is a sub-committee; and
  - (ii) any principal council which falls within paragraph (b) above in relation to that committee.
- (4) The following additional categories of exempt information apply to Standards Committees:-
  - (7A) Information which is subject to any obligation of confidentiality
  - (7B) Information which relates in any way to matters concerning national security
  - (7C) The deliberations of a Standards Committee or of a sub-committee of a Standards Committee established under the provisions of Part 3 of the Local Government Act 2000 in reaching any finding on a matter referred un the provisions of Section 60(2) or (3), 64(2), 70(4) or (5) or 71(2) of that Act

#### **STANDING ORDER 24 DISORDERLY CONDUCT**

- (1) If in the opinion of the Chair, at a meeting of the Council, (which shall include Committee, Sub-Committee and Executive) a member misconducts him/herself by:-
  - (a) Persistently disregarding the ruling of the Chair,
  - (b) Behaving irregularly, improperly or offensively,
  - (c) Wilfully obstructing the business of the Council.

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.
- (2) If the member named continues his/her misconduct after a motion under Standing Order 24(1) has been carried the Chair shall either:-
  - (a) Move “that the member named do leave the meeting” (in which case the motion shall be put and determined without seconding or discussion);
  - (b) Adjourn the meeting for such period as he/she in his/her discretion shall consider appropriate.
- (3) In the event of general disturbance, which in the opinion of the Chair renders the due and orderly dispatch of business impossible, the Chair may without discussion adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

#### **STANDING ORDER 25 DISTURBANCE BY MEMBERS OF THE PUBLIC**

- (1) If a member of the public interrupts the proceedings at any meeting (which shall include Committee, Sub-Committee and Executive meetings), the Chair shall warn him/her. If he/she continues the interruption, the Chair shall order his/her removal from the Council chamber or other meeting room. In case of general disturbance in any part of the chamber open to the public the Chair shall order that part to be cleared.

**STANDING ORDER 26  
RESCISSION OF PRECEDING COUNCIL RESOLUTION (SIX MONTH RULE)**

- (1) No motion to rescind any Council resolution passed within the last six months, and no motion or amendment to the same effect as one which has been rejected within the last six months, shall be proposed, unless notice in accordance with Standing Order 6 bears the names of at least one-third of the members of the Council. When any such motion or amendment has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months.
- (2) This Standing Order shall not apply to any motion moved on a recommendation of a Committee, or the Executive.

**STANDING ORDER 27  
VOTING AT COUNCIL**

- (1) The mode of voting at meetings of the Council shall be by show of hands: providing that on the requisition of any member of the Council made before the vote is taken and supported by five other members, the voting on any question shall be by roll call and shall be recorded so as to show how each member present and voting gave his/her vote. The name of any member present and not voting shall also be recorded. In the event of an equality of votes the Lord Mayor shall have a second or casting vote.
- (2) If any member of the Council so requires immediately after a vote is taken by a show of hands, there shall be recorded in the minutes of the proceedings of that meeting how that member gave his/her vote or whether that member abstained from voting.

**STANDING ORDER 28  
VOTING ON APPOINTMENTS**

- (1) Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a 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 shall be taken, and so on until a majority of votes is given in favour of one person.

**STANDING ORDER 29  
RECORD OF ATTENDANCE**

- (1) Every member of the Council attending a meeting of the Council, any of its Committees, Sub-Committees or Executive, of which he/she is a member, shall sign his/her name on the attendance list provided for that purpose.

**STANDING ORDER 30  
VOTING ON BUDGET SETTINGS**

- (1) Immediately after a vote is taken at a budget meeting this includes setting of the Council Tax and Precepts. There must be recorded in the minutes the names of the members present to show how each member voting gave his/her vote. The name of any members who abstained shall also be recorded.

**STANDING ORDER 31  
CUSTODY OF SEAL**

- (1) The Common Seal of the Council shall be kept in a safe place in the custody of the Head of Service Legal and Democratic Services and shall be secured by a lock, the key to which shall be kept by the Head of Service Legal and Democratic Services.

**STANDING ORDER 32  
SEALING OF DOCUMENTS**

- (1) A decision of the Council, or any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal shall be affixed to those documents which in the opinion of the Head of Service Legal and Democratic Services should be sealed.
- (2) The Seal shall be attested by one of the following persons:
  - (a) The Strategic Director Corporate Resources;
  - (b) The Head of Service Legal and Democratic Services or in his absence by one of the following Deputies:-
    - *Legal Services Manager*
    - *Team Lead - Property, Planning and Non-Contentious; or*
    - *Team Lead - Housing and Litigation;*
- (3) An entry of every sealing of a document shall be made and consecutively numbered in a book kept for that purpose and shall be signed by the person who has attested the Seal.

**STANDING ORDER 33  
AUTHENTICATION OF DOCUMENTS FOR  
LEGAL PROCEEDINGS**

- (1) Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it shall be signed by the Head of Service Legal and Democratic Services or in his absence by one of the following Deputies:-
  - *Legal Services Manager;*
  - *Team Lead – Property, Planning and Non-Contentious; or*
  - *Team Lead - Housing and Litigation;*

unless any enactment otherwise requires or authorises, or the Council has given the necessary authority to some other person.

**STANDING ORDER 34  
INSPECTION OF DOCUMENTS**

- (1) A member of the Council, for purposes of his/her duty as such (but not for any other purpose) may on application to the Democratic Services Manager, inspect any document which has been considered by the Council, Committee, Sub-Committee or the Executive, and may on request be supplied with copies of any such document.
- (2) A member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he/she is professionally interested or in which he/she

has directly or indirectly any pecuniary interest within the meaning of Section 95 of the Local Government Act, 1972. This Standing Order shall not preclude the Head of Service Legal and Democratic Services from declining to allow inspection of any document which is (or in the event of legal proceedings would be) protected by privilege arising from the relationship of solicitor and client.

- (3) All reports made or minutes kept by any Committee, Sub-Committee or Executive shall be open for inspection by any member of the Council.

### **STANDING ORDER 35 INSPECTION OF LANDS, PREMISES ETC**

- (1) Unless specifically authorised to do so by the Council, Committee, Sub-Committee or the Executive, a member of the Council shall not issue any order in respect of any works which are being carried out by or on behalf of the Council or claim, by virtue of his/her membership of the Council, any right to inspect or to enter any lands or premises which the Council have the power or duty to inspect or enter other than with the Council's appointed officer.

### **STANDING ORDER 36 APPOINTMENT OF COMMITTEES**

- (1) The Council shall at the Annual Meeting appoint such Committees as it is required to appoint by or under any statute or as is necessary for the conduct of the Council's business, and may at any time appoint such other Committees as are necessary to carry out the work of the Council but, subject to any statutory provision:-
  - (a) shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting of the Council;
  - (b) may at any time dissolve a Committee or alter its membership.
- (2) Except where otherwise provided by statute or a scheme made under statutory authority, the Lord Mayor shall be a member (with the exception of the Executive) without voting powers of every standing committee appointed by the Council.
- (3) Unless otherwise altered by the Council, the following shall be the Council's standing Committees:-
  - (a) Executive
  - (b) Planning Committee
  - (c) Licensing
  - (d) Audit and Governance Committee (On which Executive members may not serve)
  - (e) Scrutiny (on which Executive members may not serve)

### **STANDING ORDER 36A SUBSTITUTES**

- (1) The Monitoring Officer, or their authorised representative at a council meeting, is authorised to agree substitutions for members of committees or sub-committees or other Council bodies submitted in writing by appropriate group leaders, deputy group leaders or the chair of the body concerned before midday on the day of the scheduled meeting at which the substitution is to apply.

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- (2) substitutions may only be made in accordance with the total number of seats allocated to each political group and the agreed balance of seats between the political groups on the body.
- (3) substitute members will have all of the powers and duties of an ordinary member of the body but will not be able to exercise any special powers or duties (such as chair or vice-chair) exercisable by the persons they are substituting, unless specifically appointed at that meeting by the committee or sub-committee or other council body.
- (4) substitution to the Planning Committee, Audit and Governance Committee and Licensing Committee (or sub-committees) will only be permitted where substitutes have received the appropriate training and this has been verified by the monitoring officer.
- (5) the Executive may not appoint substitutes.
- (6) appointed substitutes to (a) the Audit and Governance Committee and (b) any Scrutiny Committee or Scrutiny Programme Board must not be Members of the Executive.

#### **STANDING ORDER 37 APPOINTMENT OF EXECUTIVE**

- (1) The Council shall, at its Annual Meeting, appoint an Executive nominated by the Leader of the Council.
- (2) The Executive shall consist of the Leader together with up to nine other members.
- (3) The Council shall, at the Annual Meeting, on the nomination of the Leader, appoint such Executive Portfolios and portfolio holders as the Leader shall consider appropriate.

#### **STANDING ORDER 38 PROCEEDINGS OF COMMITTEES & EXECUTIVE TO BE CONFIDENTIAL**

- (1) All agenda, reports and other documents and all proceedings of Committees, Sub-Committees and the Executive shall be treated as confidential unless and until they become public in the ordinary course of the Council's business.

#### **STANDING ORDER 39 ELECTION/REMOVAL OF LEADER AND CHAIR AND DEPUTY CHAIR OF COMMITTEES**

- (1) The Council shall at its Annual Meeting elect the Leader of the Council whose term of office shall start on the day of his/her election to that office and end on the day when the Council holds its first Annual Meeting after the Leader's normal day of retirement as a Councillor unless:
  - (a) he/she resigns from office; or
  - (b) he/she is suspended from being a councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or
  - (c) he/she is no longer a councillor; or

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- (d) he/she is removed from office by resolution of the Council by way of majority vote.

For the avoidance of any doubt any motion to remove the Leader from office must first comply with the provisions of [Standing Order 6](#).

- (2) The Chairs and Deputy Chairs of each Committee shall be elected by Council at the Annual Meeting. In the absence from a meeting of the Chair and Deputy Chair, a Chair for that meeting will be appointed. No member of the Council shall be eligible to be appointed Chair or more than one Standing Committee.

#### **STANDING ORDER 40 SPECIAL MEETINGS OF COMMITTEES**

- (1) The Chair of a Committee, Sub-Committee or the Executive may call a special meeting of the Committee at any time. A special meeting shall also be called on the requisition of three members of the Committee, Sub-Committee or Executive (with the exception of Scrutiny call in, where the provisions of [Standing Order 17](#) shall apply) provided this is delivered to the Democratic Services Manager. The summons to the special meeting shall set out the business to be considered. No business other than that set out in the summons shall be considered at that meeting.

#### **STANDING ORDER 41 SUB-COMMITTEES**

- (1) Every Committee, appointed by the Council may appoint Sub-Committees for the purposes specified by the Committee subject to the approval of Council.
- (2) The Chair and the Deputy Chair, if any, of the Committee shall be an ex-officio member (but without voting powers) of every Sub-Committee appointed by that Committee, unless they are appointed as a full member of the Sub-Committee or signify to the Committee that they do not wish to serve.

#### **STANDING ORDER 42 QUORUM OF COMMITTEES, SUB-COMMITTEES & EXECUTIVE**

- (1) Except where authorised by a statute or ordered by the Council, business shall not be transacted at a meeting of any Committee or the Executive unless at least one quarter of the whole number of the Committee is present.

Provided that in no case shall the quorum be less than three members.

- (2) Unless specifically agreed by the Committee which has appointed it, business shall not be transacted at a Sub-Committee unless at least one quarter of the whole number of the Sub-Committee is present.

Provided that in no case shall the quorum of a Sub-Committee be less than two members.

#### **STANDING ORDER 43 VOTING IN COMMITTEES, SUB-COMMITTEES & EXECUTIVE**

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- (1) Voting at a meeting of a Committee, Sub-Committee and Executive shall be by show of hands. In the event of an equality of votes the Chair shall have a second or casting vote.
- (2) If any members of the Committee, Sub-Committee or Executive so requires immediately after a vote is taken, there shall be recorded in the minutes of the proceedings of that meeting how that member gave his vote or whether that member abstained from voting.

**STANDING ORDER 44  
ATTENDANCE AT COMMITTEES,  
SUB-COMMITTEES & EXECUTIVE**

- (1) A member of the Council shall have the right to attend the meeting of any Committee, Sub-Committee or Executive of which he/she is not a member and may remain during consideration of both the public and private parts of the agenda.

He/she may not vote at that meeting and may only speak or ask a question if he/she has given notice in writing (by electronic mail wherever possible) by 10.00 am two working days in advance of the meeting to the Democratic Services Manager and has specified in the notice the particular agenda item or items on which he/she wishes to speak or ask a question.

Members can only speak on that item for five minutes. Where a member is speaking at a Planning Committee, the time for questions of any speaker at planning committee shall be limited to five minutes per speaker.

- (2) Opposition group leaders shall not be required to give notice under Standing Order No. 44 to speak or ask a question on any items on the Executive agenda.

**STANDING ORDER 45  
MOVER OF MOTION MAY ATTEND  
COMMITTEE, SUB-COMMITTEE & EXECUTIVE**

- (1) A member of the Council who has moved a motion which has been referred to any Committee, Sub-Committee or Executive shall have notice of the meeting of the Committee, Sub-Committee or Executive at which it is proposed to consider the motion. He/she shall have the right to attend the meeting and if he/she attends shall have an opportunity of explaining the motion.

**STANDING ORDER 46  
MEMBERS' ABSENCE FROM MEETINGS**

- (1) If any member fails throughout a period of six consecutive months to attend any meeting of the Authority he/she, unless the failure was due to some good reason approved by Council before the expiry of that period, shall cease to be a member of the Council. Attendance can be at any committee or sub-committee or any joint committee, joint board or body where the functions of the Authority are discharged.

**STANDING ORDER 47  
VARIATION AND REVOCATION  
OF STANDING ORDERS BY COUNCIL**

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- (1) Except on the recommendation of the Executive, a motion to add, vary or revoke these standing orders shall (when proposed and seconded) stand adjourned without discussion to the next ordinary meeting of the Council and that motion shall not be carried except by a majority of two-thirds of the members of the Council present and voting.

#### **STANDING ORDER 48 SUSPENSION OF STANDING ORDERS BY COUNCIL**

- (1) Subject to paragraphs (2) and (3) of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting of Council, where its suspension is moved.
- (2) No suspension of standing orders shall be permitted so as to negate the requirements for notice to be given under [Standing Orders 10\(7\) \(Council tax\)](#), [39\(1\) \(Removal of the Leader\)](#) and [47 \(Variation/revocation of Standing Orders\)](#).
- (3) A motion to suspend Standing Orders shall not be moved without notice (i.e. under [Standing Order 7](#)) unless there shall be present at least one-half of the whole number of the members of the Council.

#### **STANDING ORDER 49 INTERPRETATION OF STANDING ORDERS**

- (1) The ruling of the Lord Mayor, Chair of Committee, Sub-Committee or Executive as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council, Committee, Sub-Committee or Executive.

#### **STANDING ORDER 50 STANDING ORDERS TO BE GIVEN TO MEMBERS**

- (1) An electronic copy of the Council's constitution, which shall include a copy of these Standing Orders and of such statutory provisions as regulate the proceedings and business of the Council, shall be made available in electronic format to each member by the Democratic Services Manager on the making of their declaration of acceptance of office on being first elected to the Council. A hard copy will be provided by the Democratic Services Manager on receipt of a written request by a member.

#### **STANDING ORDER 50(A) APPOINTMENT OF HEAD OF PAID SERVICE**

- (1) Council shall approve the appointment of the Head of Paid Service following the recommendation of such appointment by a Committee or Sub-Committee of the Council.
- (2) The Committee or Sub-Committee referred to in Standing Order 50(A)(1) above shall include at least one member of the Executive.
- (3) In the case of the appointment of the Head of Paid Service, the provisions of Standing Order 52(2) shall apply. In the case of dismissal, the provisions of Standing Order 54 shall apply.

**STANDING ORDER 51  
APPOINTMENT OF CHIEF OFFICERS**

- (1) Where the authority proposes to appoint a chief officer, and it is not proposed that the appointments be made exclusively from among their existing officers, they shall:-
  - (a) draw up a statement specifying -
    - (i) the duties of the officer concerned, and
    - (ii) any qualifications or qualities to be sought in the person to be appointed;
  - (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; and
  - (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.
- (2)
  - (a) Where a post has been advertised as provided in standing order 51(1)(b), the authority shall -
    - (i) interview all qualified applicants for the post; or
    - (ii) select a short list of such qualified applicants and interview those included on the short list.
  - (b) Where no qualified person has applied, the authority shall make further arrangements for advertisement in accordance with standing order 51(1)(b). The steps to be taken under paragraphs 1 and 2 above of this standing order shall be discharged by the Chief Executive or such other officer as may be appointed for the purpose by Council.

**STANDING ORDER 52  
APPOINTMENT/DISMISSAL OF CHIEF OFFICERS AND SOME  
SECOND TIER OFFICERS**

- (1)
  - (a) The Head of Paid Service shall appoint/dismiss Chief Officers on JNC conditions of service.
  - (b) Appointment of Chief Officers and Strategic Directors shall follow a selection process involving the relevant portfolio holder and any other member(s) considered appropriate.
- (2) Before making an offer of employment or the dismissal, the Head of Paid Service or Strategic Director (as appropriate) shall provide all the members of the Executive, with the following: -
  - (a) The name of the person to be appointed/dismissed
  - (b) Any other information relevant to the appointment/dismissal.
  - (c) A reasonable period within which any objection to the making of the offer of appointment/dismissal is to be made by the Leader on behalf of the Executive.
- (3) An offer of employment or the dismissal of a chief or second tier officer employed under Joint National Council Conditions of Service shall only be made once the

appointor/dismissor has considered any objections made and is satisfied that any such objections are not material or well founded.

In the case of the Head of Paid Service, Monitoring Officer or Chief Finance Officer the procedure set out in [Standing Order 54](#) shall apply.

- (4) Whilst any action to suspend the Head of Paid Service, or any Chief Officer, for the purpose of investigation is being undertaken, they shall be on full pay for as long as it takes from the date that suspension takes place.
- (5) Members will not be involved in any disciplinary action against any officer below chief officer except where such involvement is necessary for an investigation or inquiry into alleged misconduct through the Council's disciplinary procedures.

### **STANDING ORDER 53 OTHER APPOINTMENTS**

- (1) The Head of Paid Service, Strategic Directors and Heads of Service (or such other officer to whom this function has been delegated) shall be responsible for appointment of staff within their area of responsibility other than those who are on Joint National Council Conditions of Service.

### **STANDING ORDER 54 DIMISSAL OF STATUTORY OFFICERS**

- (1) A decision to dismiss the Head Paid of Service, Monitoring Officer and Section 151 Finance Officer may only be taken by Full Council in accordance with the procedure set out in the Local Authorities (Standing Orders) (England) Regulations 2001/3384, as may be amended from time to time.

### **STANDING ORDER 55 ADMINISTRATION**

- (1) The Chief Executive shall be the Head of Paid Service responsible for the review of the organisation and administration of the Council.
- (2) The Head of Service Legal and Democratic Services shall be the Council's Monitoring Officer in accordance with section 4 of the Local Government and Housing Act 1989. In his/her absence, the Legal Services Manager shall deputise in accordance with the scheme of delegation.
- (3) The Strategic Director Corporate Resources shall be the Chief Finance Officer responsible for securing the proper administration of the Council's financial affairs and arrangements for the purposes of Section 151 of the Local Government Act 1972 as supplemented by Section 114 of the Local Government and Finance Act 1988.
- (4) Every Committee, Sub-Committee, Executive and officers of the Council shall conform with the financial arrangements so made.
- (5) The Head of Service Legal and Democratic Services shall be the Electoral Registration Officer, and In accordance with Section 52 and 54 of the Representation of the Peoples' Act 1983, the Council will provide the Electoral Registration Officer with such officers, accommodation and other resources as are in their opinion sufficient to discharge their statutory function.

- (6) The Chief Executive, to be designated as the Council's Returning Officer.

### **STANDING ORDER 56 REGISTER OF INTERESTS**

Within 28 days of a member's election or re-election or a co-opted members' appointment or re-appointment, he/she shall register all disclosable pecuniary interests as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 in the register maintained for that purpose by the Monitoring Officer. Similarly, amendments / additions / deletions to a Member's Register of Interest, need to be made within 28 days of the change happening.

### **STANDING ORDER 57 PECUNIARY INTERESTS**

Where a matter arises at a meeting which relates to a Disclosable Pecuniary Interest, the member shall not participate in a discussion or vote on the matter.

- The member shall withdraw from the room at the commencement of the consideration of that business. He/she only has to declare what his/her interest is if it is not already entered in the Member's Register of Interests or if he/she has not notified the Monitoring Officer of it.

Where a matter arises at a meeting which relates to a Disclosable Pecuniary Interest, which is a Sensitive Interest, the Member shall not participate in a discussion or vote on the matter.

- The member shall withdraw from the room at the commencement of the consideration of that business. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.

### **STANDING ORDER 58 OTHER INTERESTS**

Where a matter arises at a meeting which relates to "Other Interests" as defined in the Members' Code of Conduct, the member shall disclose the nature of the interest and withdraw from the meeting.

- He/she may speak on the matter before withdrawing only if members of the public are also allowed to speak at the meeting. If it is a sensitive interest the member shall declare the interest but not the nature of the interest.

### **STANDING ORDER 59 CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- (1) Canvassing members of the Council, Committees, Sub-Committees or the Executive, directly or indirectly, for any paid work shall disqualify that candidate concerned for the appointment.

The content of this Standing Order shall be included in any form of application.

- (2) A member of the Council, Committee, Sub-Committee or Executive shall not solicit, for any person, any employment by the Council. This shall not preclude a member from giving a written testimonial of a candidate's ability, experience, or character for submission to the Council with an application for appointment.

**STANDING ORDER 60  
RELATIVES OF MEMBERS OR OFFICERS**

- (1) A candidate for paid work for the Council, who knows that he is related to any member or senior officer of the Council shall, when making an application, disclose that relationship to the Chief Officer.

A candidate who fails to disclose such a relationship shall be disqualified for the appointment and if appointed shall be liable to dismissal without notice. Every member and senior officer of the Council shall disclose to the Monitoring Officer or relevant Strategic Director any relationship known to him/her to exist between himself/herself and any person whom he/she knows is a candidate for employment by the Council. The Monitoring Officer or relevant-Strategic Director shall report to the Council, appropriate Committee, Sub-Committee or Executive any such disclosure made to him/her.

- (2) The content of this standing order shall be included in any application for employment. For the purpose of this Standing Order “senior officer” means any officer so designated by the Council and persons shall be deemed to be related if they are husband or wife or if either of them or the spouse of either of them is the son, daughter, grandson or granddaughter, brother, sister, nephew or niece of the other, or of the spouse of the other.