

**PART 5a**  
**PROCEDURAL STANDING**  
**ORDERS**

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## PROCEDURAL RULES (GENERAL STANDING ORDERS)

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## 1. **Meetings of the Authority**

- 1.1 The Authority shall hold an annual meeting between 1 March and 30 June each year<sup>1</sup>.
- 1.2 In addition to the annual meeting of the Authority, meetings for the transaction of general business shall be held on such days and at such times as may be determined by the Authority at its annual meeting provided that any such date may be varied or any such meeting cancelled at a subsequent meeting<sup>2</sup>.
- 1.3 The Chair of the Authority, or if the office of Chair is vacant or the Chair of the Authority is not available, the Vice-Chair of the Authority may call an extraordinary meeting of the Authority at any time<sup>3</sup>.
- 1.4 Any 3 members of the Authority may call an extraordinary meeting of the Authority where the Chair:
- (i) refuses to call a meeting after a requisition for that purpose specifying the nature of the business, having been signed by 3 Members, has been presented to him/her; or
  - (ii) fails to call a meeting within 7 days of such requisition being presented to him/her<sup>4</sup>.
- 1.5 Any requisition under SO 1.4 may be presented to the Chair by being left for him/her with the proper officer.
- 1.6 Where any person or persons decides to call an extraordinary meeting of the Authority, he/she shall contact the proper officer that he/she has done so, the business to be transacted and the date and time for which the meeting is called. The proper officer shall thereupon ensure that the notices and summonses required by paragraph 4(2) of Schedule 12 to the 1972 Act are published and sent.
- 1.7 Meetings of the Authority shall normally be held at Barnsley Town Hall, Barnsley, S70 2TA.
- 1.8 Subject to the statutory provisions allowing for urgent meetings at least 5 clear **working days** before the day of the meeting of the Authority<sup>6</sup>;
- 1.8.1 Notice of the time and place of the intended meeting shall be published at the Authority's registered offices at Barnsley Town Hall and, where the meeting is called by Members, the notice shall be signed by those Members and shall specify the business proposed to be transacted<sup>7</sup>; and
- 1.8.2 a summons to attend the meeting, specifying the business proposed to be transacted and signed by the proper officer shall be left at or sent by post to the usual place of residence of every Member;

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1. LGA 1972 Schedule 12, paragraphs 1 and 6A
  2. A joint authority may in every year hold, in addition to the annual meeting, such other meetings as they may determine; such meetings shall be held at such hour and in such days as the authority may determine - LGA 1972, Schedule 12, paragraphs 1 and 2
  3. LGA 1972, Schedule 12, paragraph 3 (power to call a meeting); and LGA 1985 Section 34 (3) - Subject to Standing Orders made by the Authority anything authorised or required to be done by or in relation to the Chairman may be done by or in relation to the Vice Chairman
  4. LGA 1972, Schedule 12, paragraphs 3 (2) and 6B (a)
  5. LGA 1972, Schedule 12, paragraph 4 (1) - meetings shall be held at such place either within or without the Authority's area, as it may direct
  6. LGA 1972, Schedule 12, paragraph 4 and LGA 1972, Section 100A(6)
  7. LGA 1972, Schedule 12, paragraph 4
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Provided that

- want of service of a summons on any Member shall not affect the validity of a meeting; and
- no business shall be transacted at a meeting called by Members other than that specified in the notice published under SO 1.8.1 above;
- if a Member gives notice in writing to the Clerk that they desire summonses to attend meetings of the Authority to be sent to them at some address other than their usual place of residence, any summons addressed to them and left at or sent by post to that address shall be deemed to be sufficient service of the summons<sup>8</sup>.

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

1.9.1 a copy of the agenda including the item (or a copy of the item) has been open to inspection by members of the public in pursuance of SO 1.8 for at least 5 clear working days before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or

1.9.2 by reason of special circumstances, which shall be specified in the minutes, the person chairing the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency<sup>9</sup>.

1.10 The Chair of the Authority may cancel or rearrange the date of a meeting at any time before the agenda has been published if he/she feels there is insufficient business to justify the meeting or there is some other good reason why it would not be appropriate to hold the meeting on the day originally proposed.

## **2. Appointment and Powers of Chair and Vice-Chair**

2.1 The Authority shall, as the first item of business at its annual meeting, elect one of its Members to be the Chair who shall unless he/she resigns that office, or is otherwise disqualified, continue in office until the election of the Chair at the next annual meeting. In the case of an equality of votes in respect of the appointment of a Chair the person presiding at the meeting shall give a casting vote in addition to any other vote he/she may have<sup>10</sup>.

2.2 The Authority shall, at its annual meeting following the appointment of the Chair, appoint one of its Members to be Vice Chair who shall, unless he/she resigns that office or is otherwise disqualified, continue in office until immediately after the appointment of the Chair at the next annual meeting<sup>11</sup>.

2.3 On a casual vacancy occurring in the office of Chair, an appointment to fill the vacancy shall be made at the next ordinary meeting of the Authority held after the date on which the vacancy occurs or if that meeting is held within fourteen days after that date then not later than the next following meeting; and any such meeting may be convened by the officer of the Authority<sup>12</sup>.

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8. LGA 1972, Schedule 12, paragraph 4

9. LGA 1972, Section 100 B

10. Local Government Act 1985 Section 34

11. LGA 1985 Section 34

12. LGA 1985, Section 34

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- 2.4 On a casual vacancy occurring in the office of Vice Chair, an appointment to fill the vacancy shall be made at the next ordinary meeting of the Authority held after the date on which the vacancy occurs, or if that meeting is held within fourteen days after that date then not later than the next following meeting.
- 2.5 The Chair, if present, shall preside at a meeting of the Authority<sup>13</sup>.
- 2.6 If the Chair is absent from a meeting the Vice Chair, if present, shall preside<sup>14</sup>.
- 2.7 If both the Chair and the Vice-Chair of the Authority are absent, Members present at the meeting shall choose who shall preside<sup>15</sup>.
- 2.8 All matters considered at a meeting shall be decided by a majority of the Members present and voting thereon and in the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote<sup>16</sup>.
- 2.9 Subject to the provisions of paragraph 6 of Schedule 12 to the Local Government Act 1972, no business shall be transacted at a meeting of the Authority unless at least one quarter of the whole number of members is present<sup>17</sup>.
- 2.10 If, during a meeting of the Authority, the Chair declares that there is not a quorum present, the meeting shall stand adjourned to a time later in the day or to a date fixed by the Chair at the time the meeting is adjourned. If the Chair does not fix a date, the business remaining to be conducted shall be considered at the next meeting of the Authority. The names of the Members present when the meeting is adjourned shall be recorded upon the minutes of the meeting.
- 2.11 The ruling of the Chair as to the construction or application of any of these Standing Orders, or any procedural question, at a meeting of the Authority, shall be final and shall not be open to discussion.
- 2.12 The Chair shall have control of the meeting and may take such steps as the Chair considers appropriate to maintain order and the orderly conduct of business<sup>18</sup>.
- 2.13 Without prejudice to SO 2.12 above:-
- (i) if at a meeting any Member of the Authority in the opinion of the Chair misconducts him/herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Authority, the Chair may move "that the Member named be not further heard" and the motion if seconded shall be put and determined without further discussion;
  - (ii) if the Member named continues his/her misconduct after a motion under the foregoing paragraph has been carried the Chair shall either move, "that the Member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion) or adjourn the meeting of the Authority for such period as he/she shall consider expedient.

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13. LGA 1972, Schedule 12, paragraph 5

14. LGA 1972, Schedule 12, paragraph 5

15. LGA 1972, Schedule 12, paragraph 5

16. LGA 1972, Schedule 12, paragraph 39

17. LGA 1972, Schedule 12, paragraph 6

18. At common law upon taking the Chair at a meeting, the Chair (or whoever may be presiding) becomes vested with authority to regulate and control proceedings for the purposes of the meeting.

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- 2.14 The Chair may adjourn the Authority in the interest of maintaining order at any time and without prejudice to the right of any Member to propose an adjournment under SO 7.1 may adjourn the Authority for refreshment breaks for a period not exceeding one hour and for a single period of not more than 30 minutes for any other reason. The Chair's powers and responsibilities in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.
- 2.15 Anything authorised or required to be done by or in relation to the Chair may be done by or in relation to the Vice Chair.

### **3. Agenda Setting and Order of Business**

- 3.1 The items to be included in the Authority's agenda subject to compliance with these Standing Orders, and any statutory provisions shall be fixed by the Clerk in consultation with the Chief Fire Officer / Chief Executive and the Chair as appropriate subject to the right of the Authority's Monitoring Officer and Chief Financial Officer to submit reports to the Authority in accordance with their respective statutory obligations..
- 3.2 Unless otherwise provided in accordance with this Standing Order, the Order of Business at every meeting of the Authority shall be:
- (a) to choose a Member of the Authority to preside if the Chair and Vice Chair are absent;
  - (b) at the annual meeting, and at any other meeting (not being an extraordinary meeting) which is the first after the office of Chair shall have become vacant, to appoint a Chair;
  - (c) to deal with any business expressly required by statute to be dealt with before any other business;
  - (d) to receive apologies;
  - (e) to receive announcements from the Chair, the Clerk and the Chief Fire Officer / Chief Executive;
  - (f) to identify whether there are any additional items of business which by reason of special circumstances the Chair is of the opinion should be considered as a matter of urgency at the meeting the reasons for the urgency shall be specified in the minutes;
  - (g) to resolve which items of business shall be dealt with in public and which shall be dealt with after the public have been excluded;
  - (h) to approve as a correct record the minutes of the last meeting of the Authority and of any earlier meeting of which the minutes have not been approved, and for the Chair to sign them;
  - (i) to receive declarations of interests;
  - (j) to dispose of any business, (if any) remaining from the last meeting;
  - (k) to receive Deputations (if any) pursuant to SO 13;
  - (l) to receive Petitions (if any) pursuant to SO 12;
  - (m) to consider motions in the order in which the Clerk has received notice thereof;

- (n) to receive and consider reports, minutes and recommendations of Committees, Sub Committees, Boards and Working Parties of the Authority in the order set out in the Agenda;
- (o) to consider any other business specified in the Agenda;
- (p) to consider urgent items of business approved by the Chair.

3.3 The Order of business specified in paragraph 3.2 may be varied :

- (i) by the Chair at his/her discretion;
- (ii) by a resolution passed on a motion duly moved and seconded.

#### **4. Minutes of the Authority**

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

4.2 No motion or discussion shall take place upon the minutes, except upon their accuracy, and any question concerning their accuracy shall be raised by a motion under SO 7.

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

4.4 Where, in relation to any meeting of the Authority the next such meeting is an extraordinary meeting, the next following meeting (not being an extraordinary meeting) shall be treated as a suitable meeting for the signing of minutes.

#### **5. Quorum and Voting**

5.1 The quorum of the Authority shall be four, unless more than one third of the Members become disqualified when the quorum shall be determined in accordance with paragraph 45, Schedule 12 of the Local Government Act 1972<sup>19</sup>.

5.2 The quorum of a committee or Sub Committee of the Authority shall be 3<sup>20</sup>.

5.3 If, during any meeting of the Authority, as a result of the person presiding having caused the number of Members present to be fewer than quorum are present, the meeting shall stand adjourned for five minutes. If, after the period of five minutes has elapsed, and after the number of Members present has been counted, there is still no quorum present, the meeting shall stand adjourned.

5.4 The consideration of any business not transacted shall be adjourned to a time fixed by the person presiding at the time the meeting is adjourned or, if he/she does not fix a time, to the next ordinary meeting of the Authority.

#### **6. Notice of Motion**

6.1 Notice of every motion, other than a motion which under SO 7 may be moved without notice, shall be given in writing and be signed by the Member or Members of the Authority giving the notice. The notice shall state for which meeting of the Authority the notice is given.

- 6.2 Unless the Chair is of the opinion that a motion should be considered as a matter of urgency, notice of every motion of which notice is required shall be delivered to the Clerk at least seven clear days before the day of the meeting for which the notice is given.
- 6.3 The Clerk shall record the time and date at which every such notice is delivered to him/her and the record shall be open to the inspection of every Member of the Authority.
- 6.4 The Clerk shall set out in the summons for every meeting of the Authority all motions of which notice has been duly given in the order in which they have been received, unless the Member giving such a notice intimated in writing, when giving it, that he/she proposed to move it at some later meeting, or has since withdrawn it in writing.
- 6.5 Every motion shall be relevant to some matter in relation to which the Authority has powers or duties.
- 6.6 If a motion set out in the summons be not moved either by a Member who gave notice thereof or by some other Member on his/her behalf, it shall, unless postponed by the Authority, be treated as withdrawn and shall not be moved without further notice.
- 6.7 Having taken into account its relevance to the powers or duties of the Authority, and that its submission will not be offensive or bring the Authority into disrepute, the Clerk shall rule on the validity of Notices of Motion submitted under Standing Order 6 and Questions from Members submitted under Standing Order 11.
- 6.8 No motion to rescind a resolution passed within the preceding 6 months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed unless the notice thereof given in pursuance of paragraph 6.1 of this Standing Order bears the names of at least 5 Members of the Authority. When any such motion or amendment has been disposed of by the Authority it shall not be open to any member to propose a similar motion within a further period of six months.

**Provided that** this Standing Order shall not apply to motions moved in pursuance of a recommendation of a committee.

## **7. Motions which may be Moved Without Notice**

- 7.1 The following motions may be moved without notice :

to elect a Chair of the Authority or to appoint a Member to preside at a meeting at which the Chair and Vice Chair are absent;

that leave be given to withdraw in whole or in part or amend the minutes or proceedings of the Authority;

- motions relating to the accuracy of the minutes;
- motions under SO 3.3 (change in order of business);
- remission to a committee;
- appointment of a committee or Members thereof, occasioned by an item mentioned in the agenda for the meeting;

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19. Local Government Act 1972 Schedule 12 paragraph b - note of reference to whole number of members includes vacancies.

20. No quorum is prescribed by statute in the case of committee meetings but an Authority has power to prescribe one by standing orders - Local Government Act 1972 Section 106.

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- adoption of reports and recommendations of committees or officers and any consequent resolutions;
- that leave be given to withdraw a motion;
- that the Authority proceed to next business;
- that the question be now put;
- that the debate be now adjourned;
- that the Authority do now adjourn;
- authorising the sealing of documents;
- motions under SO 8.6 to suspend a Standing Order;
- motions in accordance with section 100A (2) or (4) of the Local Government Act 1972 to exclude the public from a meeting where there is likely otherwise to be disclosure of exempt or confidential information ;
- that a Member named under SO 2.13 (ii) be not further heard or do leave the meeting.
- motions to refer a petition which has been presented to the Authority to the next ordinary meeting of the Authority or appropriate committee for consideration ;
- motions to refer a matter raised by a deputation received under SO 13 to the next ordinary meeting of the Authority or appropriate committee.
- motions arising from the consideration of such communications as the Chair, Clerk , or Chief Fire Officer /Chief Executive shall present to the Authority.
- giving consent of the Authority where the consent of the Authority is required under these Standing Orders.

7.2 An amendment to a motion may be moved without notice, but shall be relevant to the motion. No amendment shall be moved to an amendment.

## **8. Rules of Debate**

8.1 A motion or amendment shall not be discussed unless it has been moved and seconded.

8.2 A Member when seconding a motion may speak at this point or later in the debate, but may only speak once.

8.3 A Member, when speaking, shall address the Chair. If two or more Members request to speak, the Chair shall call on one to speak. While a Member is speaking, the other Members shall remain silent unless speaking to address to a point of order or in personal explanation.

8.4 A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order. No speech shall exceed ten minutes, at which time the Chair shall put the question to the meeting to allow, or not, the continuation of the speech. The length of any extension in time shall be at the discretion of the Chair.

- 8.5 A Member who has spoken on any motion shall not speak again while it is the subject of debate, except:
- to speak once on each amendment moved by other Members;
  - 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;
  - in exercise of a right of reply given by SO 8 or 15 of this Standing Order;
  - on a point of order;
  - by way of personal explanation.
- 8.6 An amendment shall be relevant to the motion and shall be either -
- to refer a subject of debate to the next meeting of the Authority or the appropriate committee for consideration or reconsideration; or
  - to leave out words; or
  - to leave out words and insert or add others; or
  - to insert or add words :
  - but such omission, insertion or addition of words **shall not have the effect of negating the motion before the Authority.**
- 8.7 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 provided that the Chair may permit two or more amendments to be discussed (but not voted on) together if the circumstances suggest that this course would facilitate the proper conduct of the Authority's business. Where two or more amendments are discussed together they shall be voted upon in the order in which they were moved.
- 8.8 When an amendment has been lost, other amendments may be moved on the original motion. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- 8.9 A Member may with the consent of his/her seconder signified without discussion:
- (a) alter a motion which they are moving; or
  - (b) with the further consent of his/her seconder, alter a motion which he/she has moved;
- if in either case the alteration is one which could be made as an amendment thereto.
- 8.10 A motion may be withdrawn by the mover with the consent of his/her seconder, 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.
- 8.11 The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment. The mover of the amendment shall have no right of reply to the debate on

his/her amendment. The mover of an original motion who is exercising his/her right of reply at the close of the debate on the amendment shall confine himself/herself to matters raised in that debate and shall not introduce new matter.

8.12 In this Standing Order, “original motion” shall include an amended motion which has by virtue of Standing Order 13(8) taken the place of the original motion.

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

- to amend or withdraw the motion;
- to adjourn the meeting;
- to adjourn the debate;
- to proceed to next business;
- that the question be now put;
- that a Member be not further heard;
- by the Chair under SO 15 that a Member be excluded from the meeting;
- a motion under Part 1 of Schedule 12A of the Local Government Act 1972, as amended, to exclude the public.

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

(a) on a motion to proceed to next business, unless in his/her opinion the matter before the meeting has been insufficiently discussed, he/she shall first give the mover of the original motion a right of reply to the motion to proceed to next business and then put to the vote the motion to proceed to next business; in the event that the motion is not carried no further motion to proceed to the next business may be moved.

(b) on a motion that the question be now put, unless in his/her opinion the matter before the meeting has been insufficiently discussed, he/she shall first put to the vote the motion that the question be now put and, if it is passed, then give the mover of the original motion his/her right of reply under paragraph 8 [Questions] of this Standing Order before putting his/her 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/her right of reply on that occasion.

8.15 A Member may rise on a point of order and shall be entitled to be heard forthwith. The Member speaking at that time shall resume their seat whilst the relevant point of order is raised. 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.

(b) A Member may rise in personal explanation and may with the consent of the Chair be heard. The Member speaking at that time shall resume their seat whilst the relevant personal explanation is dealt with. A personal explanation shall be confined to some material part of an earlier speech by him/her in the debate which may have been misunderstood.

(c) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

## 8.16 Suspension of Standing Orders

Any Standing Order (not being one which repeats a statutory requirement) may be suspended so far as regards any specified business at the meeting where its suspension is moved. The motion to suspend must identify the specific Standing Order concerned.

8.17 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

## **9. Questions by Members and reporting to Constituent Councils**

9.1 A Member may:

9.2 In relation to the business of the Authority ask the Chair or the appropriate Chairperson of any Sub-Committee or Board, any question which shall have been delivered in writing to the Clerk not later than 5.00pm one clear working day before the date of the Authority Meeting.

9.3 With the permission of the Chair, ask the Chair or the appropriate Chairperson of any Sub-Committee or Board any question relating to urgent business as approved by the Chair under Standing Order 29, of which a copy has been delivered to the Clerk.

9.4 Every question shall be read by the Clerk and answered without discussion, but the person to whom a question has been put may decline to answer or may ask another appropriate Chairperson or Spokesperson as he/she specifies to reply to such question. When a convenient reply cannot be given orally, a written answer may be circulated to all Members of the Authority.

9.5 When an oral reply to a question asked under paragraph 11.4 above has been given, the Member asking the question may, with the permission of the Chair, ask one supplemental question of the same person. The answer to such a question shall be dealt with as provided in paragraph 9.4 above.

9.6 The Authority shall nominate a Member of each constituent Council on the Authority to answer questions within the Council on the discharge of the Authority's functions<sup>21</sup>.

## **10. Appointments by the Authority**

10.1 If any Member of the Authority is appointed by, or on behalf of the Authority, as a Member of any other body, or is nominated by, or on behalf of the Authority for appointment to such body and is duly appointed, then unless the constitution of that other body provides for earlier termination or the Authority otherwise resolves, the appointment shall remain in force until the next annual meeting of the Authority or such earlier time as the person ceases to be a Member of the Authority.

## **11. Voting**

11.1 Every proposition shall, unless otherwise required by these Standing Orders or Statute, be determined by show of hands.

11.2 In taking the votes on any proposition, those members only shall be entitled to vote who are present in the room when the proposition is put from the Chair.

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<sup>21</sup>. Local Government Act 1985 Section 41 requires such arrangements are made

- 11.3 After a proposition is put from the Chair but before the vote is taken, any three Members by show of hands may require that the voting shall be recorded in the minutes of the meeting so as to show whether each Member present gave his/her vote for or against that proposition or abstained from voting.
- 11.4 Except where a recorded vote has been taken, any Member who is present when the vote was taken may require his/her vote for or against the question or abstention shall be recorded in the minutes by notifying forthwith the Clerk (or if not present his/her representative attending the meeting).
- 11.5 Where there are more than two persons nominated for any position to be filled by the Authority and of the votes given there is not a majority in favour of one person, the one 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.

## **12. Petitions**

- 12.1 Petitions may be presented by any Member of the Authority. Any Member shall be at liberty to move a motion that the petition be referred to the next ordinary meeting of the Authority or the appropriate committee for consideration and report and such motion on being seconded, shall be at once put to the vote.

## **13. Deputations**

- 13.1 At the discretion of the Authority, deputations may be received at any meeting of the Authority, except the Annual Meeting, provided that seven clear days notice in writing has been given to the Clerk of the proposed deputation and the object thereof. The Chair shall put a motion that the deputation be received which motion shall be put and moved without discussion. On the motion being approved, the deputation shall be admitted.
- 13.2. The deputation shall not exceed five persons in number, only one of whom shall speak and the speech, inclusive of the reading of a memorial or petition, if one is to be presented, shall not exceed five minutes.
- 13.3 No discussion shall take place on any matter raised by a deputation but any Member shall be at liberty to move a motion, without notice, that the subject matter be referred to the next ordinary meeting of the Authority or the appropriate committee and such motion, on being seconded, shall be at once put to the vote.

## **14. Public Questions**

- 14.1 Provision shall be made for questions from the public on the public part of the Agenda of each ordinary and, at the Chair's absolute discretion, special meetings of the Authority, and the Audit Committee, to participate in accordance with the rules below. Questions shall not be permitted at the Annual Meeting or between the publication of election dates and the date of the election.
- 14.2 Email, written, or submissions via the website , must be received by the Clerk by 5pm **three clear working days** before the relevant meeting.
- 14.3 At the relevant meeting, the question that has been submitted can be asked in person from the public gallery by the person who has written the question, or their representative. Alternatively, the question will be read out by the Clerk.

- 14.4 Where questions are considered normal business questions by the Clerk, an answer will be provided at the meeting, failing which, in writing within the normal time frame for such questions. Where the question is regarded by the Clerk as relating to information caught under the Freedom of Information Act 2000, it will be processed according to standard procedures required to comply with the legislation. A verbal response may be given but the formal response will be in writing within the legislative timeframes. The response may be subject to legislative exemptions. However the applicant will be given details of their right of appeal both to the Authority and the Information Commissioner's Office.
- 14.5 The provision for questions from the public on the agenda will be 15 minutes. The Chair shall have discretion to extend the participation period at the expiry of the 15-minute period to allow completion of the question in progress or to terminate the participation period prior to the expiry of the 15-minute period.
- 14.6 With the express permission of the Chair and within the overall time allowed, a supplementary question from the member of the public or spokesperson may be permitted and Members of the Authority or committee may put questions to the member of the public. Where the primary question is being processed under the Freedom of Information Act 2000, and under the duty to advise and assist, the Authority will include this supplementary question in its final written response.

## 15 **Disorderly Conduct**

- 15.1 If at a meeting any Member of the Authority, in the opinion of the Chair, misconducts himself/herself by persistently disregarding the ruling of the Chair or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Authority, 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. If, in the opinion of the Chair any Member has used language which is offensive or constitutes an inappropriate personal remark in respect of another Member, the Chair shall call upon the Member to withdraw the offending language or remark.
- 15.2 If the Member named continues his/her misconduct after a motion under the foregoing paragraph has been carried, or fails to withdraw any language or remark, when called upon to do so by the Chair, the Chair shall EITHER move "that the Member named be excluded from the meeting" (in which case the motion shall be put and determined without seconding or discussion) OR adjourn the meeting of the Authority for such period as he/she in his/her discretion shall consider expedient.

## 16. **General Disturbances**

- 16.1 If a member of the public interrupts the proceedings at any meeting the Chair shall warn him/her. If he/she continues the interruption the Chair shall order his/her removal from the room. In case of general disturbance in any part of the room open to the public the Chair shall order that part to be cleared.
- 16.2 If, in the opinion of the Chair, misconduct or obstruction renders the due and orderly dispatch of business impossible, the Chair, in addition to any other power vested in him/her, may without the question being put suspend the meeting for a period not exceeding 30 minutes.

## 17. **Recordings at Meeting**

17.1 Webcasting will be permitted, but only at Authority meetings to which the press and public are admitted. The Monitoring Officer is authorised to exclude elements from the archive that may contain any defamatory or inappropriate material. Recordings of such meetings would be held as an archive on the internet for a period of 6 months. In accordance with Regulations, other forms of live broadcast, video recording or streaming, cinematography, photography or audio recording will be permitted at any meeting open to the public under the Local Government Act 1972, except where these activities are undertaken in a disruptive manner. Where a disruption of the meeting's business is caused, the Chair of the meeting will have the right to exclude the persons in question from the meeting in accordance with Standing Order 16.

## **18. Record of Attendances**

18.1 Every Member attending a meeting of the Authority, or of any of its committees, sub-committees or other meeting arranged by the Authority of which he/she is a Member, shall sign his/her name in the attendance book or sheet provided for that purpose, and every Member attending any other meeting, conference, seminar or inspection visit which is an approved duty shall sign his/her name in the register kept for that purpose.

## **19. Code of Conduct and Disclosable Pecuniary Interests**

19.1 In accordance with the provisions of Section 27(2) of the Localism Act 2011, the Authority has adopted a code of conduct for Members ("the Code"). All Members and co-opted members of the Authority must observe the Code.

19.2 The Monitoring Officer shall inform each Member of any changes to the Code approved by the Authority.

19.3 Where a Member or co-opted member is present at a meeting and he/she has a disclosable pecuniary interest in a matter the Member must withdraw from the meeting while any discussion or vote takes place on the matter unless they have been granted a dispensation allowing their participation.

19.4 For the purposes of this Standing Order "meeting" means any meeting of –

(a) the Authority; or

(b) any of the Authority's committees, sub-committees, joint committees, joint sub-committees, or advisory committees.

## **20. Canvassing of and Recommendations by Members**

20.1 Canvassing of Members of the Authority, directly or indirectly for any appointment with the Authority or South Yorkshire Fire and Rescue Service, shall disqualify the candidate concerned for that appointment. The purpose of this Standing Order shall be included in any form of application.

20.2 A Member of the Authority shall not solicit for any person any appointment with the Authority or South Yorkshire Fire and Rescue Service, but this shall not preclude a Member from giving a written testimonial of a candidate's ability, experience, or character for submission to the Authority or the Chief Fire Officer/ Chief Executive with an application for appointment.

## **21. Staff Appointments**

- 21.1 In accordance with Section 7 of the Local Government and Housing Act 1987 all staff must be appointed on merit.
- 21.2 A candidate for any appointment with the Authority or South Yorkshire Fire and Rescue Service who knows that he/she is related to any Member or employee of the Authority shall disclose that relationship in his/her application. A candidate who fails to disclose such a relationship shall be liable to be disqualified for the appointment and, if appointed, shall be liable to dismissal without notice. The purport of this Standing Order shall be included in any form of application.
- 21.3 Every Member and senior officer of the Authority shall disclose to the Clerk any relationship known to him/her to exist between the Member or officer and any person who they know to be a candidate for an appointment with the Authority.

## 22. **Gifts and Hospitality**

- 22.1 In accordance with the code of conduct for Members approved by the Authority a Member must within 28 days of receiving any gift or hospitality over the value of £25, provide written notification to the Monitoring Officer of the existence and nature of that gift or hospitality.
- 22.2 The offer or receipt of gifts or hospitality by an officer of the Authority or South Yorkshire Fire and Rescue Service shall be reported to the Clerk or the Chief Fire Officer / Chief Executive who shall make a record in a book maintained for this purpose. The register maintained by the Clerk or Chief Fire Officer / Chief Executive shall be open to inspection by Members of the Authority.

## 23. **Inspection of Land, Premises etc.**

- 23.1 A Member of the Authority shall not issue any order respecting any works which are being carried out by or on behalf of the Authority or claim by virtue of their membership of the Authority any right to inspect or to enter upon any lands or premises which the Authority has the power or duty to inspect or enter.

## 24. **Committees and Sub-Committees**

- 24.1 The Authority, at the Annual Meeting:-
- (i) shall resolve which committees, including any required by or under any statute, shall be appointed and what shall be the terms of reference of each of these committees and of how many voting members each committee shall consist
  - (ii) may resolve that non-voting members, shall also be appointed to any such committee, and if any such appointments are made the numbers shall be specified together with the functions to be exercised by the members appointed
  - (iii) may resolve what limitations shall be placed on the powers of any such committee to arrange for the discharge by a sub committee of any of their functions.
- 24.2 The Authority may at any other time resolve to appoint a committee, and if so shall decide on the terms of reference, and the number of voting members and may decide on the appointment and functions of non-voting members and on the limitation of the powers of any such committee to appoint sub-committees in accordance with SO 23.1 above.
- 24.3 The Authority may, subject to any statutory provision, at any time resolve to dissolve a committee or may amend resolutions made under SO 23.1 and 23.2.



- 24.4 Every committee and sub-committee shall continue to discharge the functions committed to them until the Authority resolve otherwise.
- 24.5 Subject to S. 102(5) of the 1972 Act (Member ceasing to be a Member of the Authority shall cease to be a member of a committee) and SO 23.8 below every person appointed as a voting member of 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.
- 24.6 A Member of the Authority who is not otherwise entitled to attend and speak at a committee or sub-committee shall be entitled to do so, but not to vote:-
- (i) during the consideration of any motion of which notice has been given under SO 6.1 which he/she has moved or seconded at a meeting of the Authority and which has been referred to that committee or sub committee, or
  - (ii) with the agreement of the Chair.

The foregoing provisions of this Standing Order shall not apply to committees appointed to deal with employee capability, grievance and discipline matters.

Where a resolution is passed excluding the public from a meeting that exclusion shall not be deemed to apply to any Member of the Authority but all Members will be expected to observe the confidentiality conventions.

24.7 Whenever:

- (i) the Authority is required to review the allocation of seats on committees between political groups, or
- (ii) the Authority resolves to carry out such a review; or
- (iii) a committee is required to review the allocation of seats on a sub committee between political groups, or
- (iv) a committee resolves to carry out such a review

the Proper Officer shall submit a report to the Authority or committee as the case may be showing what allocation of seats would in his/her opinion, best meet the requirements of section 15(4) of the Local Government and Housing Act 1989.

- 24.8 In the light of such a report as is mentioned in SO 23.7 the Authority or committee, as the case may be, shall determine the allocation of seats to political groups.
- 24.9 Whenever 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 whenever such an appointment falls to be terminated in accordance with such wishes then the Authority or the committee, as the case may be, at a meeting at which the wishes of the political group are expressed, or at the next meeting after those wishes are expressed, or where there is a failure to express such wishes shall make or terminate the appointment accordingly<sup>22</sup>.

## 25. **Meetings of Committees and Sub-Committees**

- 25.1 The Authority at the Annual Meeting shall fix the date, time and place of Ordinary Meetings of committees and may fix the date, time and place of Ordinary Meetings of sub-committees.
- 25.2 If the Authority does not fix the date, time or place of an Ordinary Meeting of a sub-committee then the relevant committee may do so.
- 25.3 The Chair of a committee or sub-committee may call an Extraordinary Meeting of a committee or sub-committee at any time.
- 25.4 The Chair of a committee or sub-committee, may if he/she considers it necessary (and after consultation so far as practicable with such persons as appear to him/her to be representative of the political groups to which seats on the committee or sub-committee have been allocated) cancel a meeting of the committee or sub-committee or may change any of the details of place, date or time already fixed for the meeting.
- 25.5 If:
- (i) a requisition for an Extraordinary Meeting of a committee or sub-committee signed by at least 2 or one quarter of the total number of the voting members of a committee or sub-committee, whichever is greater, has been presented to the Chair, and
  - (ii) either the Chair has refused to call a meeting or without the Chair so refusing, within 7 days of presentation of the requisition no Extraordinary Meeting has been called, then any 2 or one quarter of the total number of the voting members of the committee or sub-committee whichever is greater, may forthwith call an Extraordinary Meeting of the committee or sub-committee.
- 25.6 Where it is decided to call an Extraordinary Meeting of a committee or sub-committee under SO 24.5 above, the members calling the meeting shall tell the Proper Officer they have done so, the business to be transacted and the date, time and place for which the meeting is called. The Proper Officer shall then ensure that the necessary notices and summonses are sent out.
- 25.7 Any requisition under 24.5 may be presented by being left with the Proper Officer.
- 25.8 All meetings of committees and sub-committees shall be held, unless the relevant committee or sub-committee otherwise directs, at Barnsley Town Hall, Barnsley, S70 2TA.

26. **Notice of Committee and Sub-Committee Meetings**

- 26.1 At least 5 clear days before a committee or sub-committee meeting the Proper Officer shall publish a notice of the date, time and place of the meeting at the Authority's registered offices at Barnsley Town Hall. The notice shall be signed by the Proper

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22. Provisions based on LGHA 1989 Sections 15 and 16, and the Local Government (Committees and Political Groups) Regulations 1990 (as amended).

Officer or the Chair or, in the case of an Extraordinary Meeting called under 24.5 by the members of the committee or sub-committee calling the meeting.

- 26.2 At least 5 clear days before a committee or sub-committee meeting or summons giving the date, time and place, signed by the Clerk and specifying the business to be transacted at

the meeting shall be left at or sent by post to the usual place of residence (or such other address as has been notified to the Proper Officer) of each Member of the Authority<sup>23</sup>.

## 27. **Committee Agendas**

27.1 The agenda for every committee and sub-committee meeting shall include:-

- (a) all items of business which are referred to the committee or sub-committee by the Authority or by another committee or sub-committee.
- (b) all reports submitted to the committee or sub-committee by the Clerk , Chief Fire Officer / Chief Executive, and Monitoring Officer.
- (c) any item of business directed to be included by the Chair.

## 28. **Quorum for Committees and Sub-Committees**

28.1 The quorum of a committee shall be 3 voting Members.

28.2 The quorum of a sub-committee shall be 3 voting Members, except where the membership of the sub-committee is 3 or fewer, in which case the quorum shall be 2 members.

28.3 At any meeting of a committee or sub-committee the chair shall be taken at the time specified in the summons convening the meeting and business shall commence as soon as a quorum is present.

28.4 If at the expiration of 15 minutes after the specified time of meeting a quorum is not present, no meeting shall take place and the business shall be postponed to the next Ordinary Meeting of the committee or sub-committee unless an Extraordinary Meeting is convened in the meantime for the purpose of dealing with such business.

28.5 If during any meeting of a committee or sub-committee, the Chair, after causing the number of members present to be counted, declares that there is not a quorum present, the meeting shall stand adjourned for 15 minutes.

28.6 If, after 15 minutes, there is still no quorum present, the Chair shall declare the meeting at an end and the business shall be postponed to the next Ordinary Meeting of the committee or sub-committee unless an Extraordinary Meeting is convened in the meantime for the purpose of dealing with such business.

## 29. **Appointment of Chair and Vice-Chair of Committees and Sub-Committees**

29.1 Appointments of the Chair and Vice-Chair of a committee shall be made by the Authority.

29.2 The Chair and Vice-Chair of a sub-committee shall be appointed at the first meeting of the sub-committee after the Annual Meeting of the Authority, by the sub-committee.

29.3 The Chair, if present, shall preside at every meeting. In the absence of the Chair the Vice-Chair, if present, shall preside. In the absence of both Chair and Vice-Chair the committee

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<sup>23</sup>. See notes 9, 10 and 11 above.

or sub-committee shall elect a member of the Authority from among their number to preside at the meeting.

## 30. **Urgent and Emergency Business**

- 30.1 The Clerk, and the Chief Fire Officer / Chief Executive shall be empowered after consultation with the Chair of the Authority or, in the case of a matter concerning the powers or duties of a committee or sub-committee, the Chair of that committee or sub-committee concerned, or in their absence the Chair of the Authority, to act on behalf of and within the powers and duties of the Authority, committee or sub-committee in cases of urgency. This procedure is only to be activated by the Chief Fire / Chief Executive Officer through the Clerk upon submission of a compelling business case as to why the matter is urgent and cannot await a decision by the Authority.
- 30.2 In cases of emergency the Clerk, and the Chief Fire Officer / Chief Executive shall be empowered as in 29.1 above but without the requirement of consultation but with the continuing requirement for submission of a compelling business case. This procedure is only to be activated by the Chief Fire Officer / Chief Executive through the Clerk.
- 30.3 In all cases a written record shall be made of i) the action taken; the reason for the urgency or emergency( the compelling business case); the identity of the Chief Officer taking the action; and the Members consulted.
- 30.4 The Chief Officer acting under this SO 29 shall report such action to the first available meeting of the Authority or appropriate committee or sub-committee.

31. **Arrangements for the Discharge of Functions by Officers**

31.1 Clerk or Chief Financial Officer

Wherever the office of Clerk or Chief Financial Officer is vacant or he/she is for any reason unable to act the powers and duties delegated to the Clerk or Chief Financial Officer under these Standing Orders may be exercised by:-

Monitoring Officer  
Deputy Monitoring Officer

As appropriate, subject to any enactment providing otherwise.

31.2 Chief Fire Officer / Chief Executive

The Deputy Chief Fire Officer shall be authorised to exercise all the powers and duties of the Chief Fire Officer / Chief Executive under these Standing Orders whenever the post of Chief Fire Officer / Chief Executive is vacant or the Chief Fire Officer / Chief Executive is for any reason unable to act.

32. **Common Seal of the Authority**

- 32.1 The Common Seal of the Authority shall be kept in a safe place in the custody of the Clerk.
- 32.2 A decision of the Authority (or of a committee, sub-committee or officer acting under delegated powers) shall be a sufficient authority for sealing any document necessary to give effect to the decision.
- 32.3 The Common Seal shall be affixed to those documents which, in the opinion of the Authority's solicitor, should be sealed.
- 32.4 The affixing of the Common Seal shall be attested by the Clerk or Chief Financial Officer or one of the following officers:-

Monitoring Officer

Deputy Monitoring Officer

33. **Signing of Agreements and Contracts**

33.1 The Authority shall be the contracting party for the purposes of entering into contracts and agreements.

33.2 All contracts and agreements (not being under seal) entered into by the Authority shall be signed by the Clerk or a duly authorised officer.

33.3 Save as provided otherwise the officers authorised for the purpose of SO 32.2 are:-

Monitoring Officer

Deputy Monitoring Officer

34. **Variation and Revocation of Standing Orders**

34.1 Except where it is in pursuance of a recommendation of a committee or an officer any motion at a meeting to add to, vary or revoke any Standing Order shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Authority provided that this Standing Order shall not apply to any review of Standing Orders at the Annual Meeting.

35. **Interpretation and Application**

35.1 The decision of the Chair of the meeting on the question of the construction of these Standing Orders and on any question of order not provided for in Standing Orders shall not be challenged at any meeting of the Authority.

35.2 The inclusion or exclusion of any specific matters in any other regulation or resolution shall not be construed as limiting in any way the scope of these Standing Orders.

35.3 In these Standing Orders, unless the context otherwise requires the singular includes the plural.

35.4 Standing Orders:- 8 (Rules of Debate); 10 (Appointments); 11 (Voting); 12 (Petitions); 13 (Deputations); 16 (General Disturbances); 17 (Recordings at Meetings); 19 (Interests) shall apply to meetings of committees and sub-committees.

35.5 Where there is any doubt as to the interpretation of these Standing Orders this shall be resolved by the Monitoring Officer.

35.6 In these Standing Orders the term "Chief Officer" will include all statutory officers, all officers described in SO 31

36. **Standing Orders to be Given to Members**

36.1 A copy of the Authority's Standing Orders and Financial Regulations shall be given by the Clerk to every Member of the Authority on his/her first being appointed to the Authority.

