

# **APPENDIX A**

**May 2003**

## **STEVENAGE BOROUGH COUNCIL**

**COUNCIL, COMMITTEE  
AND GENERAL  
STANDING ORDERS**

## DEFINITIONS

These definitions are necessary to make sense of Standing Orders:-

“1972 Act”	means the Local Government Act 1972.
“1989 Act”	means the Local Government and Housing Act 1989.
“2000 Act”	means the Local Government Act 2000.
“Chair”	means the elected Chair or in his/her absence the Vice-Chair of a Committee. The term includes a Member elected to preside in the absence of the Chair or Vice Chair.
“Clearing Working Days”	excludes:- <ul style="list-style-type: none"><li>* Saturday</li><li>* Sunday</li><li>* Bank and Public Holidays</li><li>* Where relevant the day of despatch of an agenda, summons or notice</li><li>* Where relevant the day of the meeting.</li></ul>
“Committee”	means any Committee, Sub-Committee, Panel, Working Party or Board whether or not it includes co-opted members, unless otherwise indicated.
“Confidential Information”	has the meaning given to it in section 100A(3) of the 1972 Act. That definition covers information provided to the Council by a Government department on terms which prohibit its disclosure and information which the Council is prohibited from disclosing by statute or by court order.
“Executive” (The)	The body appointed by Council to undertake Executive functions, as detailed in the Local Government Act 2000
“Executive Member”	A Member serving on the Council appointed Executive
“Exempt Information”	has the meaning given to it by section 100 of the 1972 Act. It includes a large number of different categories of information which the Council is entitled to withhold from the public. Usually this is for the protection of a member of the public, to preserve the Council's bargaining power or to protect its ability to carry out its functions properly.

“Key Decision”	An Executive decision as defined in Article 13 of the Constitution.
“Member”	means an elected Member of the Council or of a Committee as appropriate. It includes the co-opted members of Committees.
“Notice in Writing”	includes notice sent by post or fax but not notice sent by electronic mail.
“Ordinary Meeting”	means a meeting of the Council or Committee as the case may be which is included in the calendar of meetings approved by the Council except the Annual Meeting of the Council.
“Petition”	means a written document signed by a large number of people demanding some form of action from the Council.
“Political Group”	means political groups as defined in the Local Government (Committees and Political Groups) Regulations 1990. Essentially it covers any group of two or more Members who have notified the Chief Executive in writing that they wish to be treated as a political group.
“Senior Officer”	means an officer employed by the Council on Senior Officer salary scale or above.
“Standing Order”	means these Standing Orders and any reference to a particular numbered Standing Order will be construed accordingly.
“Urgent matter”	means a matter which is to be considered at a meeting of the Council, a Committee or a Sub-Committee by virtue of section 100B(4) of the 1972 Act. That section provides that matters not appearing on the agenda published five clear working days before the meeting can be considered at the meeting, if by reason of special circumstances, the Chair is of the opinion that the item should be considered at the meeting as a matter of urgency.  (In the case of key decisions the arrangements for special exception and special urgency under the 2000 Act should be noted, per part 4 of the Constitution.)
“Year”	means a municipal year running from one Annual Meeting of the Council until the next, unless a calendar year or a year commencing on any other date is specified.

# STEVENAGE BOROUGH COUNCIL

## STANDING ORDERS

### PART 1 – COUNCIL MEETINGS

#### 1. Compliance with Standing Orders

Every Committee and officer shall comply with these Standing Orders and the Council's Constitution.

Copies of the Council's Constitution, including these Standing Orders shall be given to elected Members upon their signing the 'declaration of acceptance of office' and to co-opted members upon their appointment.

These Standing Orders should read in conjunction with the remainder of the Council's Constitution.

#### 2. Meetings

The Annual meeting of the Council and all ordinary meetings of the Council shall be held at the Council Offices. Subject to any legislative requirements the meetings shall be held on dates and times in accordance with a programme of meetings approved annually. \*The Council's annual meeting must be held between 8 and 21 days after the retirement of Councillors in an election year, and in March to May in other years.

The Chief Executive (in consultation with the Mayor) may alter the date, time or place fixed for the holding of a meeting where he/she considers that a material change in circumstances makes it necessary.

Those listed below may request the Chief Executive to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;
- (ii) the Mayor;
- (iii) the monitoring officer; and
- (iv) \*any five members of the Council if they have signed a requisition presented to the Mayor 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.

Such extraordinary meetings shall be held at 7.00 pm or fifteen minutes after the end of any other meeting taking place that evening or at such other reasonable time as the Mayor or five Members concerned may determine.

\* Schedule 12, Local Government Act 1972

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules, at least five clear days with before a meeting, the Chief Executive will send a summons signed by him or her by post to every Member of the Council or leave it at their usual place of residence. The

summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

### **3. Chairing Meetings**

Any power or duty which the Mayor has for conducting a Council meeting can be exercised by the Deputy Mayor or any other Member who chairs a meeting in their absence.

### **4. Leadership of the Council/Leadership of political groups and Opposition**

Two Members of the Council will be elected from time to time by the Council as Leader and Deputy Leader of the Council.

The political groups may each choose two Members as Leader and Deputy Leader of their group, and the largest group in Opposition may choose two Members as Leader and Deputy Leader of the Opposition. All the names when so appointed shall be notified to the Chief Executive for report to the Council.

### **5. Leaders of Party Groups**

The Member so chosen by any Party Group on the Council shall be known as the Leader of that Group.

### **6. Quorum**

\*No business can be dealt with unless there is a quorum of 10 Members present (one quarter of the Membership)

If there is no quorum within 10 minutes of the time at which the meeting was due to start, the meeting must be immediately adjourned; no business having been conducted in the meantime.

If, during the course of a meeting the numbers in attendance fall below 10 Members the Mayor shall call a halt to business, and if a quorum is not formed within 10 minutes, the meeting will be adjourned.

In either instance the business to be postponed until:

- (a) a time fixed by the Mayor at the adjournment, or if he does not fix a date at that time;
- (b) a time fixed by the Mayor during the following day, or as soon as possible thereafter; or
- (c) if no such time and date are fixed by the Mayor, either at the time of the adjournment or subsequently, to the next ordinary meeting.

Any of the courses followed must allow five clear days' notice to Members.

\*Schedule 12, Local Government Act, 1972

## **6(a) The Role of Council, and matters reserved to it**

These aspects are dealt with in Article 4 of the Constitution.

## **6(b) Annual Meeting of the Council**

The order of business at the annual meeting will normally be as follows:

- (i) apologies for absence;
- (ii) approval of minutes;
- (iii) to elect a Member as Mayor for the ensuing year;
- (iv) to elect a Member as Deputy Mayor for the ensuing year;
- (v) to nominate a Mayor Designate for the ensuing year;
- (vi) to elect the Leader/Deputy Leader of the Council (sect. 11.3, LGA. 2000);
- (vii) to note the appointment of the Leader and Deputy Leader of the Opposition and Leaders/Deputy Leaders of the minority groups;
- (viii) to agree the number of members to be appointed to the executive and appoint such members (sect. 11.3(b) LGA 2000);
- (ix) to appoint at least one overview and scrutiny committee, a Standards Committee and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council for decision nor are Executive functions (sect. 21 LGA 2000);
- (x) to agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree.
- (xi) to consider any other business set out in the notice convening the meeting.

## **7. Ordinary Meetings of the Council**

- (a) The order of business at ordinary meetings will be:-
  - (i) to choose a Chair if both the Mayor and the Deputy Mayor are absent;
  - (ii) to receive any apologies for absence;
  - (iii) to deal with any business required by law to be dealt with first;
  - (iv) to agree the Minutes of the last meeting and sign them;
  - (v) to deal with any other business required by law;
  - (vi) to receive any communications received by the Mayor which he/she wishes to draw to Council's attention;
  - (vii) to deal with any business remaining from the last meeting;
  - (viii) to deal with the main debate (Standing Order 17);

- (ix) to receive any petitions/deputations (Standing Order 12);
  - (x) to deal with any questions from the public (Standing Order 13);
  - (xi) to receive the Leader's update (Standing Order 11);
  - (xii) to deal with motions submitted with notice (Standing Order 15);
  - (xiii) to deal with questions to Committee Chairs or Executive Members from Members (Standing Order 14);
  - (xiv) to deal with reports from the Executive, the Council's Committees, and other Committees as may be appropriate;
  - (xv) to deal with reports from officers;
  - (xvi) to deal with any other business specified in the summons.
- (b) Alterations to order of business:

The order of business under items (v) and (xvi) can be changed by the Mayor or by a motion passed without discussion. The motion need not be in writing (See Standing Order 8(d)).

## **8. Motions and Amendments which can be moved without Notice**

The following motions and amendments can be moved without notice:

- (a) nominating a Chair of the meeting;
- (b) about the accuracy of the Minutes;
- (c) referring something to an appropriate body or individual;
- (d) changing the order of business under Standing Order 7(b);
- (e) appointing a committee or member arising from an item on the summons for the meeting
- (f) that an item of business is referred to the next ordinary meeting;
- (g) accepting recommendations of Committees;
- (h) accepting recommendations of officers;
- (i) amendments to motions;
- (j) that an item of business is withdrawn;
- (k) that the Council proceed to the next business;
- (l) that the question is now put;
- (m) that the debate is adjourned;

- (n) that the Council adjourn;
- (o) to give the consent of the Council where its consent is required by this Constitution;
- (p) excluding the public and press under section 100(A)(4) of the Local Government Act 1972;
- (q) that Standing Orders are suspended under Standing Order 30;
- (r) that a Member named under Standing Order 19 is not heard or must leave;
- (s) recording the Council's appreciation, best wishes or condolence;
- (t) about the constitution of Committees;
- (u) that a deputation or petition is received;
- (v) that a matter raised by a deputation or petition or arising out of a question from the public or a Member is referred to the appropriate Committee or other Authority;
- (w) seeking clarification as to the Mayor's ruling on a matter relating to the Conduct of Council Meetings and the application of any particular Standing Order relating thereto as provided for under Standing Order 34;
- (x) motions and amendments arising out of recommendations of Committees or Officers.
- (y) motions and amendments arising out of the main debate at Council;
- (z) that a motion moved under Standing Order 15 be dealt with at the meeting at which it is proposed;
- (aa) arising from an answer to a question submitted in accordance with Standing Order 14.

## **9. Minutes**

- a. The Minutes of proceedings of each Council meeting will be drawn up and printed and a copy transmitted to each Member before the next ordinary meeting of the Council at which they are to be signed by the Mayor.
- b. 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 Mayor shall sign the Minutes.
- \*c. Where in relation to any meeting of the authority the next such meeting is a meeting called under Paragraph 3 (extraordinary meetings) of Schedule 12 to the Local Government Act 1972, the next following meeting of the authority (being a meeting called otherwise than under that paragraph) shall be treated as a suitable meeting for the purpose of paragraph 41(1) and (2) (Signing of Minutes) of that Schedule.

\* Mandatory Standing Order; Local Authorities (Standing Orders) Regulations, 1993

## **10. Motions Affecting Council Employees**

Before discussion is allowed on the appointment, promotion, dismissal, salary, superannuation, conditions of service or the conduct of a Council employee either by name or by recognisable designation/title, the Council must decide whether or not the Public and Press should be excluded under Section 100(A)(4) of the Local Government Act 1972.

## **11. Leader of the Council's Update**

At all ordinary meetings of the Council the Leader of the Council may speak to the Council about matters relevant to the Borough which have arisen since the last ordinary meeting, and other matters relevant to the Borough.

- (a) the Leader of the Council will briefly introduce each topic on which the Council is to be advised, and where he/she considers it appropriate, will nominate another Member to speak to the topic.
- (b) if required, a debate will follow on each topic, with the Leader having the right to respond on each topic. In any event the Leader of the Opposition shall have the right to speak on each topic.
- (c) the Leader of the Opposition shall have the right to raise one item under the Leader of the Council's Update and the Leader of the Council shall have the right to respond or nominate another Member to respond on his/her behalf. If required, a debate will follow on the topic.
- (d) normal rules of debate will apply, save that no Member, other than the Leader of the Council and Leader of the Opposition, shall speak for more than two minutes on any topic.

## **12. Petitions and Deputations**

### **12.1 Petitions**

- (a) At any ordinary meeting of the Council any member of the public may ask to present a petition, signed by persons other than Members of the Council, which is relevant to some matter in relation to which the Authority has functions, or which affects the area of the Authority or part of it, or the inhabitants of that area or some of them.
- (b) A person wishing to present a petition shall give notice to her/his intention to do so to the Constitutional Services Manager in the Chief Executive's Department by midday on Friday of the working week prior to the despatch of the agenda for the Council meeting at which she/he wishes to present it.
- (c) The Chief Executive will determine which petitions will be presented to Council, following consultation with the Leader and Chief of the relevant committee or relevant Executive Member. The title and subject matter of each petition will be included on the agenda for Council. The agenda will also indicate which petitions will not be received, and the reason shall be briefly stated in each case.
- (d) The presentation of a petition shall be limited to no more than three minutes, and shall be confined to the person speaking to the petition, reading out or summarising the text of the petition, indicating the number and description of the signatories and making such further remarks relevant to the petition as the person presenting it shall think fit, provided that such remarks shall relate to the matter indicated when the request was made, and provided that they do not constitute a personal attack upon any person. The person speaking to the petition shall be heard in silence, but thereafter shall not have the right to speak further.
- (e) After the petition has been presented, the Chair of the appropriate committee, relevant Executive Member or other nominated Member shall have the right to respond. The response shall be limited to no more than 3 minutes.
- (f) At the Mayor's discretion Members of the Council and/or members of the public may ask questions or make statements in relation to the subject matter of the petition. No member of the public may speak more than once and no speech shall last longer than three minutes.
- (g) The petition will thereafter be referred by the Chair to the appropriate Committee, relevant Executive Member or to the relevant Chief Officer if the matter can be dealt with under delegated powers. The Committee, Executive Member or Chief Officer, as appropriate, shall provide a written reply with details of any action proposed, to be sent to the representative of the petitioners.
- (h) No petition shall appear before Council within six months after a deputation or petition has appeared before it with the same or like objective.

## 12.2 Deputations

- (a) At any ordinary meeting of the Council any member of the public likely to be affected by a matter in which the Authority has functions, or which affects that area of the Authority, or part of it, or the inhabitants of that area, or some of them may ask that a deputation should be received by an ordinary meeting of the Council.
- (b) Such a request shall be made in writing to the Constitutional Services Manager in the Chief Executive's Department, by midday on Friday of the working week prior to the despatch of the agenda for the Council meeting to which it relates, setting out the reason why the deputation should be received.
- (c) The person making the request shall indicate the matter to which the request relates, the number (which shall not be more than 7), names and addresses of the persons who will form the deputation, and the one member of the deputation who will address the Council.
- (d) The Chief Executive will determine which deputations will be presented to the Council following consultation with the Leader and Chair of the relevant main committee. The title and subject matter of each deputation will be included on the agenda for Council. The agenda will also indicate which deputations will not be received, and the reason shall be briefly stated in each case.
- (e) On being called by the person presiding, the person speaking for the deputation may make, during a period not exceeding three minutes, such remarks as she/he thinks fit, provided that the remarks shall relate to the matter indicated when the request was made, and that the remarks do not constitute a personal attack upon any person. The person speaking for the deputation shall be heard in silence, but thereafter shall not have the right to speak further.
- (f) After the deputation has been heard the Chair of the appropriate committee, relevant Executive Member or other nominated Member shall have the right to respond. The response shall be limited to no more than 3 minutes.
- (g) At the Mayor's discretion Members of the Council and/or members of the public may ask questions or make statements in relation to the subject matter of the deputation. No member of the public may speak more than once and no speech shall last longer than three minutes.
- (h) The substance of the deputation will thereafter be referred to by the Chair to the appropriate Committee, relevant Executive Member or to the relevant Chief Officer, if the matter can be dealt with under delegated powers. The Committee, Executive Member or Chief Officer shall provide a written reply with details of any action proposed, to be sent to the representative of the deputation.
- (i) No deputation shall appear before the Council within six months after a deputation or petition has appeared before it with the same or like objective.

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## Questions from the Public

- (a) At any ordinary meeting of the Council a Member of the public may ask one question which is relevant to some matter in relation to which the Authority has functions, or which affects the area of the authority or part of it, or the inhabitants of that area or some of them. Questions will not be considered if the name and address of the questioner is not provided or if the question relates to a matter concerning service delivery to an individual person or household.
- (b) Questions must be submitted to the Constitutional Services Manager in the Chief Executive's Department in writing by midday on Friday of the working week prior to the despatch of the Agenda for the Council meeting to which it relates.
- (c) The Chief Executive will determine which questions are to be asked at Council, following consultation with the Leader and Chair of the relevant Committee or relevant Executive Member. The Constitutional Services Manager will notify intending questioners whether or not their question has been selected. The questions will be included on the agenda for Council. The agenda will also indicate which questions, of which notice has been given, will not be asked and the reason shall be briefly stated in each case.
- (d) A maximum of eight questions will be allowed at each meeting. Questions contained on the order papers may not be read out by the questioner. However, questioners may be invited by the Mayor to add a brief statement, of no more than two minutes duration, before their question is considered. This must not take the form of additional questions.
- (e) Answers will be given by the Leader, the relevant Committee Chair or Executive Member as appropriate or by a Member nominated if that Member agrees. An answer may be:
  - (i) an oral answer lasting no more than three minutes; or
  - (ii) where the desired information is contained in a publication of the Council, a reference to that publication; or
  - (iii) where the information required can more conveniently be given in writing, or written answer; or
  - (iv) a combination of the above.
- (f) With the Mayor's permission the questioner may ask a supplementary question about the written question (or its answer) put by the questioner at the same Council Meeting. The questioner's supplementary question must not last longer than two minutes, and the answer to it no longer than three minutes.
- (g) At the Mayor's discretion members of the public, or Members of the Council, may ask questions or make statements in relation to the subject matter contained in a written question. No member of the public, other than a questioner, may speak more than once and no speech shall last longer than three minutes. The relevant Member's response shall last no longer than three minutes.

#### **14. Questions to Committee Chairs or Executive Members.**

This Standing Order applies to every ordinary meeting. The Mayor may ask for questions about the work of each Committee or Portfolio area in turn. Questions cannot be asked about subjects covered by Committee or officer recommendations at the same meeting.

- (a) Each Member can:
  - (i) Ask one written question of a committee Chair or Executive Member about something for which the committee or Executive Member has a responsibility or which affects the Borough. The question must be put in writing and given to the Constitutional Services Manager in the Chief Executive's Department by midday on Friday of the working week prior to the despatch of the Agenda for the Council meeting or, in respect of a question arising from a Committee meeting held after that deadline, by midday on the day following that Committee meeting. The questions will be included on the agenda for Council. The answer to it must not last longer than three minutes.
  - (ii) With the Mayor's permission, the Member who submitted the question may ask one supplementary question, about the written question (or its answer) put by the Member at the same Council meeting. A Member's supplementary question must not last longer than two minutes, and the answer to it not longer than three minutes.
- (b) Normally every question must be asked and answered without discussion but, at the Mayor's discretion, there can be a debate on the issue in question. A Member who has been asked a question can decline to answer, or may name an appropriate person to answer for him/her.
- (c) An answer may be:
  - (i) an oral answer;
  - (ii) where the desired information is contained in a publication of the Council, a reference to that publication; or
  - (iii) where the information required can more conveniently be given in writing, a written answer; or
  - (iv) a combination of the above.

(NOTE: See also Standing Order 8(aa) in relation to motions and amendments)

#### **15. Motions subject to notice**

- (a) Motions under Standing Order 8 can be moved without notice. Written notice of every other such motion must be signed by the Member or Members giving the notice. Notice must be delivered to the Constitutional Service Manager in the Chief Executive's Department not later than midday on the Friday of the working week prior to the despatch of the Agenda for the Council meeting or, in respect of a motion arising from a Committee meeting after that deadline, by midday on the day following that Committee meeting. The Constitutional Services Manager will date and number it in the order in which it is received and enter it in a book which can be inspected by Members.

- (b) If it appears to the Constitutional Services Manager that a motion of which he/she has received notice is not in order, or is framed in improper or unbecoming language, he/she shall take the direction of the Mayor as to whether and in what form it shall be placed on the agenda, and the decision of the Mayor, after consultation with the giver of the notice, shall be final.
- (c) No Member shall place more than two new Notices of Motion on the agenda at the same time.
- (d) All motions for which notice has been given will be printed on the Council agenda in the order received unless a Member giving notice stated, in writing, that he/she proposed to move it at a later meeting or has since written to withdraw it.
- (e) A motion must be formally moved and seconded in the form set out on the agenda. This can be done by the Member or Members who gave notice, or others on their behalf. If this does not happen it will be treated as withdrawn and cannot be moved without fresh notice. Alternatively, if in the absence of the Member(s) who gave the notice and there being no other proposer and seconder and the Council agree, the motion can be postponed to the next ordinary meeting of the Council.
- (f) Once moved and seconded the motion shall stand referred to such Committee as appropriate for consideration and determination. Any such motion shall not be further discussed at that meeting of the Council, but the Council may without debate and with the support of a simple majority of those present determine that such a motion be dealt with at the meeting at which it is proposed subject to (g) below (see also see Standing Order 8 (z)).
- (g) Any motion which materially increases expenditure, or reduces income of a Committee is a motion with financial effect and shall stand referred to the appropriate Committee which shall thereafter report on the matter as/if appropriate.
- (h) In the event of the motion being dealt with at the Council meeting the Chair of the appropriate Committee or his/her nominee has the right of reply at the close of any debate, immediately before the mover of the motion.
- (i) Every motion must be about something for which the Council has a responsibility or which affects the Borough.
- (j) Where a motion is referred to a Committee the Member moving it shall, if he/she is not a member of that Committee be entitled to attend the meeting to explain his/her motion.

## **16. Motions referred from Committees**

The procedure for dealing with matters referred from the Executive or Committees at the Council meetings is set out below:

- a. The relevant Chair (or other Member on the Chair's behalf) will move formally that the recommendation from the Committee or Executive be reaffirmed if that is appropriate.

- b. The relevant Vice-Chair (or other Member on the Vice-Chair's behalf) will second the motion.
- c. The normal rules of debate at Council meetings will then apply. Motions and amendments may be moved in accordance with Standing Order 8(x).
- d. The Chair (or other Member on the Chair's behalf) will reply at the end of the debate.
- e. Council will vote on the proposed motion(s).

**17. Main Debate**

At any ordinary meeting of the Council there may be a main debate, concentrating on a matter of interest to the community.

- (a) The Chief Executive's Constitutional Services Manager will consult with the Leader of the Council four weeks prior to the Council meeting to agree the theme of the main debate for that meeting.
- (b) The Mayor will call upon the appropriate Chair/Member to introduce the topic.
- (c) The relevant Chair/Member may introduce the debate and/or may call upon an invited speaker to do so.
- (d) The normal rules of debate at Council meetings will then apply, except that, at the Mayor's discretion, Members may speak more than once (reference Standing Order 18(c)(iv)).
- (e) At the Mayor's discretion members of the public may ask questions or make statements in relation to the subject matter of the main debate. No member of the public may speak more than once and no speech shall last longer than three minutes.
- (f) If the debate is continuing after 40 minutes, the Mayor shall call for a conclusion of the debate. The Member speaking shall be permitted to finish his/her speech. The relevant Chair/Member may sum up, and any motions shall be voted upon without further discussion and, if appropriate, referred to the relevant Committee, together with any other matters raised in the course of the debate requiring consideration by a Committee.

**18. Rules of Debate**

For the avoidance of doubt the rules in this Standing Order apply to all motions and amendments whether moved on notice in accordance with Standing Order 15 (subject to any provisions within that standing order) or moved without notice in accordance with Standing Order 8.

A motion or amendment cannot be discussed until it has been formally moved and seconded.

**a. Motions**

- (j) A Member can alter a motion of which he/she has given notice of, if his/her seconder and the Council agree, alter a motion which he/she has moved. This can only be done if the alteration stands as an amendment to the motion.
- (ii) A Member can, without discussion, withdraw a motion with the permission of his/her seconder and of the Council. Unless this permission is refused, a Member cannot speak on the motion after the mover has asked permission to withdraw it.
- (iii) Subject to (iv) below only one motion can be moved and discussed at a time apart from those referred to in Standing Order 18(e) below. No other motion can be moved until the motion under discussion has been dealt with.
- (iv) The Mayor can allow two or more motions to be discussed together, if he/she feels this will help business to be dealt with more efficiently. Every motion must be voted on separately.

**b. Amendments**

- (i) An amendment must be relevant to the motion and must either:-
  - refer the subject under discussion to a Committee for consideration or reconsideration; or
  - leave out words; or
  - add words; or
  - leave out words and add words;Omissions or additions must not have the effect of nullifying the motion before the Council.
- (ii) The Member seconding an amendment may only speak later, if he/she states that he/she is reserving his/her speech for a later period of the debate.
- (iii) A Member can, without discussion, withdraw an amendment with the permission of the seconder and of the Council. Unless this permission is refused, a Member cannot speak about the amendment after the mover has asked permission to withdraw it.
- (iv) Only one amendment can be moved and discussed at a time. No further amendment can be moved until the amendment under discussion has been dealt with.

However, the Mayor can allow two or more amendments to be discussed together, if he/she feels this will help business to be dealt with more efficiently.

Every amendment must be voted on separately.
- (v) If an amendment is lost, other amendments can be moved on the original motion. If an amendment is carried, the amended motion takes the place

of the original motion and becomes the motion upon which any further amendment can be moved.

- (vi) Any amendment which materially increases expenditure or reduces income of a Committee is an amendment with financial effect and shall stand referred to the appropriate Committee which shall thereafter report on the matter as/if appropriate.

**c. Procedure**

- (i) A Member must stand when addressing the Mayor. If more than one Member stands, the Mayor will ask one to speak and the other(s) must sit. Other Members must remain seated whilst a Member is speaking unless they want to make a point of order or a personal explanation. Members must refer to one another in meeting by their correct title of "Chair" or "Councillor".
- (ii) A Member can only speak about the matter under discussion or on a point of order, or in personal explanation. (See (g) and (h) below).
- (iii) No speech may last longer than six minutes, unless otherwise specified elsewhere in these Standing Orders.
- (iv) A Member can only speak once on a motion except in the case of:-
  - speaking once on an amendment to the motion moved by another Member;
  - moving a further amendment if the motion on which he/she last spoke has been amended;
  - if his/her first speech was on an amendment moved by another Member, he/she can then speak on the original issue, whether or not the amendment on which he/she first spoke was carried;
  - in exercise of a right of reply given by paragraphs 15(g) and 18(d) of these Standing Orders;
  - on a point of order;
  - in personal explanation.

**d. Rights of Reply**

Members who are entitled to rights of reply at the close of a debate are:-

**On a Committee or other recommendation:**

the mover of the motion

**On an amendment to a Committee recommendation:**

- (i) the mover of amendment
- (ii) the Chair of the Committee, or his/her nominee

**On a notice of motion:**

- (i) the mover of any amendment
- (ii) the Chair of appropriate Committee, or his/her nominee
- (iii) the mover of the motion

**On a motion to proceed to the next business:**

Before voting on the motion to proceed to the next business the mover of the original motion

**On a motion that a question is now put:**

If the motion that the question is now put is carried

- (i) the mover of any amendment (if appropriate)
- (ii) the mover of the original motion

**On a motion to adjourn the debate or the meeting:**

No right of reply.

**e. Other Motions**

When a motion is under debate, no other motion can be moved except to:-

- (i) amend the motion;
- (ii) adjourn the meeting to such time as determined in accordance with Standing Order 32;
- (iii) adjourn the debate to the next ordinary meeting of the Council in accordance with Standing Order 33;
- (iv) proceed to the next business;
- (v) move that the question is now put;
- (vi) move that a Member is not further heard;
- (vii) exclude the Public and Press under Section 100(A)(4) of the Local Government Act 1972;
- (viii) move that the motion be postponed to later in the meeting;
- (ix) move that the motion be postponed;
- (x) move that a Member leave the meeting;
- (xi) move that the matter be referred back to a Committee.

These motions can only be move by Members who have not spoken on the motion under debate.

**f. Ending a Debate**

At the end of any speech, a Member who has not spoken on the motion can move:-

(i) that the Council proceed to the next business.

If this motion is seconded, unless the Mayor thinks that the matter merits more discussion, he/she will give the mover the original motion a right of reply. The motion to proceed to the next business will then be voted on.

(ii) that the question is now put.

If this motion is seconded, the Mayor will first put to the vote the motion that the question be now put, if it is carried:

the mover of any amendment under discussion at that time has a right of reply;

every amendment is voted on;

the mover of the motion has the right of reply

the original motion or substantive motion, as appropriate, is voted on.

(iii) that the debate or the meeting be adjourned.

If this motion is seconded, the Mayor will put the motion to the vote. The mover of the original motion has no right of reply.

**g. Point of Order**

A point of order is a request by a Member to the Mayor for a ruling on any alleged irregularity in the constitution or conduct of the meeting.

The point of order must be raised as soon as the alleged irregularity is noticed. The Member who notices this irregularity must specify the Standing Order or Act of Parliament concerned and must also specify the way in which he/she thinks it has been broken.

The ruling of the Mayor on a point of order may only be challenged in accordance with Standing Order 34.

**h. Point of Personal Explanation**

A Member may find that he/she has made a misstatement which has been quoted by a later speaker, or that a later speaker has misunderstood or misquoted him/her.

If this happens, the Members can rise on a point of personal explanation and with the permission of the Mayor, interrupt the speaker for a few moments in order to correct the misunderstanding.

The ruling of the Mayor on a point of personal explanation may only be challenged in accordance with Standing Order 34.

## **19. Conduct**

- a. When the Mayor stands during a debate any Member speaking at the time must stop talking and sit, and the Council must be silent.
- b. If any Member persistently disregards the ruling of the Mayor by behaving irregularly, improperly or offensively or intentionally obstructs Council business, the Mayor or any other Member can move that the Member be not further heard. If the motion is seconded, it will be put to the vote without discussion.
- c. If the Member continues to misbehave after a motion under paragraph (b) above has been carried, the Mayor will either:
  - (i) move that "(the Member) leave the meeting" and put the motion without seconding or discussion or
  - (ii) adjourn the meeting for as long as he/she thinks necessary.
- d. Smoking is prohibited at meetings of the Council.

## **20. Rescinding an Earlier Resolution**

Unless as a result of a recommendation of a Committee:-

- (a) A motion cannot be moved to rescind a Council decision made within the last six months.
- (b) A motion or amendment in similar terms to one which has been rejected in the last six months cannot be moved.

## **21. Voting**

- a. Voting shall be by a show of hands, unless at least 10 Members present request a fully recorded vote. On receipt of such a request made before the item of business has been concluded, the individual votes of all Members seated in a seat reserved for Members shall be recorded in the following manner. The vote will be taken immediately and recorded in the minutes. A Member's vote will only be recorded if he/she say 'Yes', 'No' or 'Abstain' immediately after the Chief Executive calls his/her name.
- +b. Immediately after a vote is taken a Member may request that the Minutes shall record whether he/she voted for or against the motion or whether he/she abstained from voting.
- \*c. Decisions are to be made by simple majority voting  
In the case of an equality of votes, the Mayor shall have a casting vote whether or not he or she has voted previously on the matter.
- d. Voting on appointments – where three or more persons are nominated for one position to be filled by the Council and of the votes given there is not an overall majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken on those remaining and so on until a majority of votes is given in favour of one person.

- + Mandatory Standing Order, Local Authorities Standing Order Regulations 1993
- \* Schedule 12, Local Government Act, 1972

## **22. Inspection of Minutes**

Minutes of Council or Committee meetings must be available for inspection by any member of the public at all reasonable times. Anyone may receive a copy at his/her own expense.

## **23. Agenda and Reports**

Agenda and reports of any Council or Committee meeting, except those reports marked "Part II – Confidential", must be available for inspection by members of the public at all reasonable times. This should be at least five clear before meetings take place and for a month after they have taken place. Anyone may receive a copy of these agenda and reports at his/her own expense.

A reasonable number of agenda and reports, apart from those marked "Part II – Confidential", must be supplied free of charge to members of the public attending meetings.

## **24. Attendance of the Press and Public at Meetings**

The Press and public will be admitted to all Council and Committee meetings subject to the Access of Information Rules in Part 4 of this Constitution, and to paras 10 or 31 of these Standing Orders.

All matters considered by the Council and Committees during such time as they are not open to the public and press shall be regarded as confidential and not disclosed to any person until the Council has taken steps to make that business public.

## **25. Disclosure**

A Member shall not disclose to any person any papers, business or other information of the Council or Committee indicated to be confidential unless:-

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

## **26. Appointment of Committees**

At the Annual Meeting, the Council will appoint the Committees required by law or under Standing Order 39.

At any time it can appoint further Committees necessary to carry out the work of the Council. No Member can be appointed on a Committee to serve after the next Annual Meeting.

The Council can dissolve a Committee or change its membership at any time, subject to the specific rules concerning the Executive set out at Article 7, The Executive.

**27. Casual Appointments**

The Chief Executive or Assistant Chief Executive will fill casual vacancies to Committees following the receipt of written instructions from a Group Leader (or in his/her absence, from a named alternative), save that there may be no such arrangement in respect of the Executive.

**28. Delegation of Powers and Duties**

Delegation of powers and duties are covered by:

- Part 4 of these Standing Orders, )
- the Scheme of Delegations to Members, ) (included elsewhere in
- the Scheme of Delegation to Officers, ) the Council's Constitution)
- the Standing Orders for Contracts, )
- the Financial Regulations. )

**29. Variation and Cancellation of Standing Orders**

A motion to add to, vary or cancel any or all of these Standing Orders, when proposed and seconded, must be adjourned without discussion to the next ordinary meeting where an accompanying officer report will be considered. This Standing Order does not apply to the review of Standing Orders.

**30. Suspension of Standing Orders**

Any Standing Orders except those marked \* or + which are mandatory can be suspended for business at the meeting at which suspension is moved.

A motion to suspend Standing Orders cannot be moved without notice unless at least half the Members are present. To be carried the motion must have received the support of more than half of the Members present.

**31. Disturbance by Members of the Public**

If a member of the public interrupts the proceedings at any meeting, the Mayor will warn him/her. If he/she continues to interrupt, the Mayor will order his/her removal from the Council Chamber. If there is general disturbance in any part of the Council Chamber open to the public, the Mayor will order that part to be cleared.

**32. Adjournment of Meeting**

The Mayor may, with the consent of the meeting, adjourn the meeting for such period as he/she considers expedient. A time for resumption, if the meeting is to continue that day, shall be stipulated at the time of adjournment.

**33. Adjournment of Debate**

Upon the passing of a motion to adjourn the debate, consideration of the matter under consideration shall stand adjourned to the next ordinary or extraordinary meeting of the Council.

**34. Interpretation of Standing Orders**

The Mayor's ruling on the conduct of Council meetings shall be accepted but all such rulings are subject to the right of a Member to challenge the Mayor's ruling as to the application of Standing Orders. Any Member choosing this right shall move a motion in accordance with Standing Orders 8 and 18, that the matter be decided by the Council.

**35. Record of Attendance**

Members attending a meeting must sign their names on the attendance sheet provided.

Their attendance will be recorded from these lists.

## PART 2 – GENERAL

### †36. Code of Conduct for Members

#### (a) Disclosure of Personal Interests at Meetings

Subject to the generality of the Code of Conduct (reproduced in full in Part 5 of the Council's Constitution), a Member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

For the purposes of clarification, "meeting" in this context means any meeting of:-

- (i) the authority;
- (ii) the executive of the authority; or
- (iii) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees or area committees.

Subject to the exceptions set out in Part 2 of the Code of Conduct, a Member with a prejudicial personal interest in any matter must:-

- (i) withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless he has obtained a dispensation from the authority's Standards Committee \*;
- (ii) not exercise executive functions in relation to that matter; and
- (iii) not seek improperly to influence a decision about that matter.

\* The circumstances in which a dispensation may be obtained are prescribed in the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002.

#### (b) Council Tax

Any Member who has failed to pay any sum defined by Section 106 of the Local Government Finance Act 1992 in respect of council tax for at least two months and is present at any meeting at which any matter specified in Section 106(2) is under consideration shall, at the meeting and as soon as practicable after its commencement, disclose the fact that Section 106 applies to them and shall not vote on any question with respect to the matter.

N.B. See Explanatory Note included as Attachment A to these Standing Orders.

### **37. Register of Members' Interests**

Within 28 days of election or appointment to office, Members and Co-opted Members entitled to vote must notify the financial and other interests specified in Part 3 of the Code of Conduct, or changes to those interests, in writing to the Monitoring Officer.

Members and Co-opted Members entitled to vote must also 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.

The Monitoring Officer must maintain a register of the financial and other interests specified in Part 3 of the Code of Conduct, which must be available for inspection by members of the public at all reasonable hours.

### **38. Urgency Procedure Arrangements**

#### **Key Decisions**

Where, because of the nature of the business, a key decision as to be taken urgently, and is outside the normal requirements for the rolling programme, it will be taken in accordance with the Access to Information Procedures Rules and the Overview & Scrutiny Procedure Rules as appropriate and the following:

- (a) If it is a matter for the Executive, and the decision cannot be left until the next scheduled meeting, it shall be taken by the Leader following advice from the relevant Chief of Senior Officers. The Leader may consult the relevant Executive Member in this respect.
- (b) If it is a matter delegated by the Executive to another Committee, and the decision cannot be left until the next scheduled meeting, it shall be taken by the Leader following advice from the relevant Chief and Senior Officers. The Leader may consult the relevant Executive Member/Chair in this respect.

Any other key decision which has to be taken urgently shall be taken by the person to whom it is delegated (Member or Officer) following advice from the relevant Chief and Senior Officer, and otherwise in accordance with the Access to Information procedure Rules and Overview & Scrutiny procedure Rules as appropriate.

#### **Other Decisions**

Where because of the nature of the business a decision (not being a key decision) has to be taken urgently and it cannot be left until the next scheduled meeting of the body delegated with the relevant power, it will be taken as follows:

- \*(i) If it is a matter for the Executive, the decision will be taken by the Leader following advice from the relevant Chief and Senior Officers. The Leader may consult the relevant Executive Member in this respect.
- \*(ii) If it is a matter delegated by the Executive to another Committee (e.g. Joint Local Committee) it shall be taken by the Leader and following advice from the relevant Chief and Senior Officers. The Leader may consult with the relevant Executive Member/Chair in this respect.

- (iii) If it is a matter which has been delegated to a Committee of the Council, it shall be taken by the relevant Chief Officer. The Chief Officer may consult the Mayor and Chair of the relevant Committee in this respect.
- (iv) If it is a decision reserved for the Council, but not reserved by law, it shall be taken by the Chief Executive. The Chief Executive may consult the Mayor in this respect.

(\*i) and (\*ii) above will constitute executive decisions taken by a Member and must therefore comply with the Access to Information procedure rules and the Overview and Scrutiny Procedure Rules.

### **Urgent decisions outside the budget and policy framework**

Where it is necessary to take a decision which falls outside the budget and policy framework, and it is not practical to convene a quorate meeting of the full Council, will be dealt with in accordance with the provisions for urgent decisions under the Budget & Policy Framework procedure Rules. If for any reason the body or person to whom the decision is normally delegated is unable to take it, the it shall be taken by the Leader of the Council, and otherwise in accordance with the Budget & Policy Framework Procedure Rules.

### **Reporting of Urgent Decisions taken:**

Where an urgent decision is taken in accordance with the above procedures, it will be reported as soon as practicable to the body otherwise delegated with the relevant power and the Council where required. Details are also to be circulated to members of the Scrutiny Overview Committee.

### **PART 3 – COMMITTEES – GENERAL**

(Note:- These Standing Orders refer to the conduct of Committees generally. Specific provisions relating to the conduct of particular Committees may be found in parts 2, 3 and 4 of the Council's Constitution. In any case where there is a conflict between these standing orders and the specific provisions referred to above, the latter shall take precedence.)

#### **39. CONSTITUTION**

- (a) Constitution of Committees, etc.
- (i) The Committees of the Council are:-
- Standards Committee
  - Planning & Development Committee
  - General Purposes Committee
  - Appointments Committee
- (ii) The Committees of the Executive are:-
- Joint Consultative Committee
  - Appeals & Grievances Panel
  - Audit Partnership Joint Committee
  - Performance, Priorities & Improvement Group
- (iii) The Scrutiny & Overview Bodies are:-
- The Scrutiny Overview Committee
  - Housing & Wellbeing Scrutiny Panel
  - Environment & Economy Scrutiny Panel
  - Resources & Corporate Management Scrutiny Panel
  - Partnership & Community Scrutiny Panel
- (iv) The Review (including Best Value) Panels are: -
- Housing & Wellbeing Review Panel
  - Environment & Economy Review Panel
  - Resources & Corporate Management Review Panel
  - Partnership & Community Review Panel
- (v) Joint Committees with Herts. County Council as follows -
- Bedwell Joint Local Committee
  - Broadwater Joint Local Committee
  - Chells Joint Local Committee
  - Old Stevenage Joint Local Committee
  - St Nicholas Joint Local Committee
  - Shephall Joint Local Committee
  - Joint Highways Committee
  - Joint Primary Care Trust Scrutiny Committee

#### 40. Meetings

- a. Committees will be summoned by the Chief Executive who will send the agenda and any supporting papers to the Members at least five clear working days before the meeting. No business other than that specified in the agenda will be considered at the meeting, unless the Chair judges it to be an urgent matter (the reasons for which will be stated in the minutes).  
(Local Government Act 1972, Section 100B(4)). Where appropriate urgent business must be dealt with in accordance with the Access to Information Rules set out in Part 4 of the Council's Constitution.
  - b. Failure to serve notice of a meeting on any Member of a Committee will not affect the validity of the meeting.
  - c. The Chair of a Committee or a quarter of the Members of the Committee may in writing cause extraordinary meetings to be summoned by the Chief Executive who will send the agenda and any supporting papers to the Members at least five clear working days before the meeting. No business other than that specified in the agenda will be considered at the meeting, unless the Chair judges it to be an urgent matter (the reasons for which will be stated in the Minutes).  
  
(Local Government Act 1972, Section 100B(4)). Where appropriate urgent business must be dealt with in accordance with the Access to Information Rules set out in Part 4 of the Council's Constitution.
  - d. The instruction to the Chief Executive in (c) must specify the business to be dealt with. No other business can be considered at the extraordinary meeting.
  - e. Only extraordinary meetings can be held during the period between the 4<sup>th</sup> day after the ordinary day of election of Councillors and the date of the Annual Council Meeting.
  - f. The following Standing Orders from Part I (Council Meetings) and Part II (General) shall apply to Committees, allowing that 'Mayor' shall be substituted by 'Chair' as appropriate.
- 10 Motions affecting Council employees
  - 18 Rules of Debate except the following:-
    - (c)(i) Speaker to Stand
    - (c)(iii) Length of Speech
    - (c)(iv) Speaking only once
  - 19 Conduct
  - 22 Inspection of Minutes
  - 23 Agenda and Reports
  - 24 Attendance of Press and Public
  - 25 Disclosure
  - 29 Variation of Standing Orders

- 30 Suspension of Standing Orders
- 31 Disturbance by Members of the Public
- 32 Adjournment of Meeting
- 33 Adjournment of Debate
- 34 Interpretation of Standing Orders
- 35 Record of Attendances
- 36 Interests to be declared at Meetings

Note: References to the Mayor shall apply to the person presiding at the meeting of a Committee.

#### **41. Choice of Chair and Vice-Chair**

(a) Executive

The Leader and Deputy Leader will be the Chair and Vice-Chairs respectively of the Executive.

(b) Committees generally

Every Committee will elect a Chair and Vice-Chair for the municipal year at the first meeting of each Committee held immediately after the Annual Council meeting except that, in the event of some reorganisation of the committee arrangements, there may be a further election for the Chair and Vice-Chair, with the Mayor in the Chair.

If a Committee fails to choose a Chair, or a Vice-Chair, for the municipal year, the respective Committee will make this choice at their next meeting.

If this fails, the meeting must be adjourned.

In the absence of the Chair from a meeting of a Committee, the Vice-Chair shall preside. In the absence of both the Chair and Vice-Chair, a Chair for that particular occasion shall be appointed.

(c) Joint Local Committees

The Chairs and Vice-Chairs of the Joint Local Committees will each be elected at the first meeting of each Committee and such meetings will be held immediately after the Stevenage Borough Council's Annual meeting in each year except that, in the event of some reorganisation of the Committee arrangements, there may be a further election for the Chairs and Vice-Chairs, with the Mayor in the Chair.

The Chair and Vice-Chair will be chosen from amongst the Stevenage Borough Councillors and the Hertfordshire County Councillors on the Committee.

If a Committee fails to choose a Chair, or a Vice-Chair, for the municipal year, the respective Committee will make this choice at their next meeting.

If this fails, the meeting must be adjourned.

In the absence of the Chair from a meeting of a Committee, the Vice-Chair shall preside. In the absence of both the Chair and Vice-Chair, a Chair for that particular occasion shall be appointed.

#### **42. Quorum**

Except where authorised by statute and ordered by the Council, no business will be transacted at a meeting of a Committee (or any subsidiary bodies) unless at least one quarter of the body is present but with a minimum of three Members being present where the composition of the body is less than 12. The particular rules that apply to the Standards Committee in this respect are set out in Article 9.

If there is no quorum within 10 Minutes of the time at which the meeting was due to start, the meeting must be immediately adjourned; no business having been conducted in the meantime.

If, during the course of a meeting the numbers in attendance fall below the quorum the Chair shall call a halt to business, and if a quorum is not formed within 10 minutes, the meeting will be adjourned.

In either instance the business to be postponed until:

- a. A time fixed by the Chair at the adjournment, or if he/she does not fix a date at that time;
- b. A time fixed by the Chair during the following day;
- c. Or if no such time and date are fixed by the Chair, either at the time of the adjournment or subsequently, to the next ordinary meeting.

Any of the courses followed to allow five day notice to Members.

#### **43. Co-opted Members**

All the provisions of these Standing Orders which govern the conduct of Members at Committee meetings will apply to the Co-opted Members as they do to the other Members of the Committee (with the exception of Standing Order 44 (Voting)). However, the special arrangements relating to independent Members(s) of the Standards Committee, who have an entitlement to vote at that Committee, should be noted.

#### **44. Voting**

Voting at Committee meetings shall be by show of hands.

\*Immediately after a vote is taken a Member may request that the Minutes shall record whether he/she voted for or against the motion or whether he/she abstained from voting.

\*Decisions are to be made by simple majority voting. In the case of an equality of votes, the Chair shall have a casting vote whether or not he or she has voted previously on the matter.

Voting on Appointments – where three or more persons are nominated for one position to be filled by the Council and of the votes given there is not an overall majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken on those remaining and so on until a majority of votes is given in favour of one person.

#### **45. Recording of Committee Meetings**

Anyone authorised to attend these meetings may take written notes. No one must make recordings of any other kind or take any photographs at these meetings unless the Chair has given written permission.

If anyone does so, the Chair can either require them to leave at once, and/or adjourn the meeting for as long as he/she thinks fit.

#### **46. Conclusion of Meetings**

Every meeting of a Committee shall finish by 10.30 pm. Any remaining business may be dealt with by:-

(a) carrying it forward to the next Ordinary meeting of the Committee;

or

(b) such other way as the Committee shall decide.

\*Mandatory Standing Order Local Authorities Standing Order Regulations, 1993.

## **PART 4 –COMMITTEES, TERMS OF REFERENCE AND DELEGATED POWERS**

### **47. TERMS OF REFERENCE, CONSTITUTION AND POWERS OF COMMITTEES**

#### **A. DELEGATIONS**

Matters within the terms of reference of each Committee referred to in SO47 B-V are delegated to that Committee unless otherwise indicated. Delegated matters will be 'referred up' only in the circumstances set out in SO49.

#### **B. EXECUTIVE**

##### **1. Membership**

10

##### **2. Quorum**

3

##### **3. Reports to -**

Council where appropriate.

##### **4. Extent of Authority**

All Council functions except those reserved to Council, excluded by regulations made under section 13(3) of the Local Government Act 2000, or those local choice functions allocated elsewhere.

##### **5. Terms of Reference**

- (i) Leads the Council's community planning process and the search for best value.
- (ii) Leads the preparation of the Council's policies and budget.
- (iii) Takes decisions on resources and priorities to deliver and implement the Council's policies and budgets.
- (iv) Is the focus for forming partnerships with other organisations to address local needs.
- (v) Has responsibility for all functions of the Council that are not excluded from its remit by Regulations made under Section 13 (3) of the Local Government Act 2000.
- (vi) Has responsibility for "local choice" functions as specified at Part 4 of the Constitution.
- (vii) Delegates functions that are its responsibility to officers of the Council in accordance with the Scheme of Delegations from the Executive to officers.

+Final decisions on policy framework and budget reserved to Council per Article 4.

## **C. SCRUTINY OVERVIEW COMMITTEE**

### **1. Membership**

11 (not Members of the Executive)

### **2. Quorum**

3

### **3. Makes reference to**

Council  
Executive as appropriate

### **4. Extent of Authority**

All matters within terms of reference.

### **5. Terms of Reference**

- 5.1 To review the Executive rolling programme, considering if it wishes to make any input to policy issues contained in the plan and if so how. Considering how to deal with any policy issues referred by the Executive and raising any other issues it considers appropriate.
- 5.2 To determine the work programme and allocation of work to the Scrutiny Panels.
- 5.3 To scrutinise the Council budget, grants and other similar major corporate issues and matters included in the Council's Policy Framework with assistance from relevant panels as appropriate.
- 5.4 To develop and review policy on major corporate issues with assistance from the panels as appropriate.
- 5.5 To exercise right to call-in, for reconsideration any decision not yet implemented, made by the Executive, individual Executive Member or Area Committee, but only in exceptional circumstances referred to in Part 4 of the Rules of Procedure (Scrutiny & Overview Committee).
- 5.6 To report to the Executive, other committees or Council, as appropriate.
- 5.7 To direct the work of the Scrutiny Panels.

## **D. SCRUTINY PANEL (HOUSING & WELLBEING)**

### **1. Membership**

8 (not Members of the Executive)

### **2. Quorum**

3

### **3. Makes reference to:**

Scrutiny Overview Committee.

### **4. Extent of Authority**

All matters within terms of reference.

### **5. Terms of Reference**

5.1 To undertake long term scrutiny, and policy review and development in relation to public and private sector Housing, including the HRA; Leisure; Health, including NHS Scrutiny; and related issues.

5.2 To undertake scrutiny of the services provided by the Department of Community Services (Housing, Leisure & Health) and Department of Environmental Services (private sector housing and Health Promotion).

5.3 Where directed by the Scrutiny Overview Committee, to undertake scrutiny of decisions taken within the following Executive portfolio areas –

- Housing
- Relevant aspects of Public & Environmental Health
- Leisure aspects of Community & Culture

5.4 Making recommendations as appropriate to the Scrutiny Overview Committee.

## **E. SCRUTINY PANEL (ENVIRONMENT AND ECONOMY)**

### **1. Membership**

8 (not Members of the Executive)

### **2. Quorum**

3

### **3. Makes reference to:**

Scrutiny Overview Committee

### **4. Extent of Authority**

All matters within terms of reference.

### **5. Terms of Reference**

- 5.1 To undertake the long term scrutiny and policy review and development in relation to urban regeneration; land use; plans and policy; District Plan; Stevenage West; employment and economic development; waste; sustainability; LA21; unadopted sewers and highways; parking; abandoned vehicles; highway licensing and enforcement; CCTV; Town Centre Management; food safety; health & safety; environmental protection; licensing; street cleaning and grounds maintenance; and related issues.
- 5.2 To undertake scrutiny of the services provided by the Department of Environmental Services.
- 5.3 Where directed by the Scrutiny Overview Committee, to undertake scrutiny of decisions taken within the following Executive portfolio areas –
  - Environment
  - relevant aspects of Public & Environmental Health.
- 5.4 Making recommendations as appropriate to the Scrutiny Overview Committee.

**F. SCRUTINY PANEL (RESOURCES AND CORPORATE MANAGEMENT)**

**1. Membership**

8 (not Members of the Executive)

**2. Quorum**

3

**3. Makes reference to:**

Scrutiny Overview Committee

**4. Extent of Authority**

All matters within terms of reference

**5. Terms of Reference**

5.1 To undertake long term scrutiny and policy review and development in relation to the Council's Finances; Financial Strategy; Investment; Insurance; the workforce in general; buildings and physical assets (excluding housing); technological support and corporate health generally.

5.2 Scrutiny in accordance with the Budget and Policy Framework rules of the Constitution of all resources, including the overall budget (except HRA), Best Value Performance Plan/Corporate Business Strategy; Corporate Policy Framework matters; except where they appear in the terms of reference of other Scrutiny Panels.

5.3 To undertake scrutiny of the services provided by the Department of Resources and the Chief Executive's Department.

5.4 Where directed by the Scrutiny Overview Committee, to undertake scrutiny of decisions taken within the following Executive portfolio areas –

- Resources
- Personnel
- Best Value

5.5 Making recommendations as appropriate to the Scrutiny Overview Committee.

## **G. SCRUTINY PANEL (PARTNERSHIP AND COMMUNITY)**

### **1. Membership**

8 (not Members of the Executive)

### **2. Quorum**

3

### **3. Makes reference to:**

Scrutiny Overview Committee

### **4. Extent of Authority**

All matters within terms of reference.

### **5. Terms of Reference**

5.1 To undertake long term scrutiny, and policy review and development of the Community Strategy; Community Safety Strategy; Local Strategic Partnership; and the Grant Aid Budget.

5.2 To promote the provision of high quality non-local authority public sector services for the people of Stevenage by scrutinising, exerting influence on and acting in partnership with providers and policy makers.

5.3 To undertake scrutiny of the services provided by the Department of Community Services (Community Development).

5.4 Where directed by the Scrutiny Overview Committee, to undertake scrutiny of decisions taken within the following Executive portfolio areas –

- Community Safety
- Community & Culture (Community aspects)
- Relevant elements of all others

5.5 Making recommendations as appropriate to the Scrutiny Overview Committee.

## **H. PERFORMANCE, PRIORITIES AND IMPROVEMENT GROUP**

### **1. Membership**

4 (Executive Members only)

NOTE:

1. Chairs of the Review Panels are to be invited to each meeting.
2. Other Executive Members to be invited as appropriate, but particularly for consideration of BVPIs

### **2. Quorum**

3

### **3. Makes reference to:**

Executive

### **4. Extent of Authority**

All matters within terms of reference.

### **5. Terms of Reference**

- 5.1 To oversee and direct on arrangements for Comprehensive Performance Assessment.
- 5.2 To monitor the Council's Performance against both local indicators and Best Value Performance Indicators and invite relevant Portfolio Members to attend to consider performance in their portfolio areas.
- 5.3 Responsibility for the implementation of the Corporate Improvement Programme and Improvement Plans in consultation with relevant Portfolio Holders.
- 5.4 Responsibility for the implementation of "Changing Gear", the Council's Corporate Business Strategy, in consultation with relevant Portfolio Holders.
- 5.5 To advise the Executive on the Council's priorities.
- 5.6 To commission Best Value and other reviews, requesting the Review Panels to undertake this work; receiving resultant reports and, in consultation with relevant Portfolio Holders, agreeing Improvement Plans for implementation.

## **I. HOUSING & WELLBEING REVIEW PANEL**

### **1. Membership**

8

### **2. Quorum**

3

### **3. Makes reference to:**

Council  
Performance Priorities and Improvement Group

### **4. Extent of Authority**

All matters within terms of reference.

### **5. Terms of Reference**

- 5.1 To undertake Best Value, Fundamental Service and other Reviews and studies, as requested by Council and/or the Priorities, Performance & Improvement Group in relation to public and private sector Housing, including the HRA (Housing Executive Portfolio) ; Leisure (Community & Culture Executive Portfolio - part); Health (Public & Environmental Health Executive Portfolio – part); and related issues.
- 5.2 To report back to Council or the Performance, Priorities and Improvement Group, as appropriate, on reviews undertaken, to include recommendations for draft Improvement Plans where required.
- 5.3 On occasions Council or the Performance, Priorities and Improvement Group may also request this Panel to undertake Reviews or studies that are within the terms of reference of another Review Panel if that Panel is already fully committed.

**J. ENVIRONMENT & ECONOMY REVIEW PANEL**

**1. Membership**

8

**2. Quorum**

3

**3. Makes reference to:**

Council  
Performance Priorities and Improvement Group

**4. Extent of Authority**

All matters within terms of reference.

**5. Terms of Reference**

- 5.1 To undertake Best Value, Fundamental Service and other Reviews and studies, as requested by Council and/or the Performance, Priorities and Improvement Group in relation to urban regeneration; land use; plans and policy; District Plan; Stevenage West; employment and economic development; waste; sustainability; LA 21; unadopted sewers and highways; parking; abandoned vehicles; CCTV; Town Centre Management (Environment Executive Portfolio); food safety; health & safety; environmental protection; licensing; street cleaning and grounds maintenance Public & Environmental Health Executive Portfolio – part); and related issues.
- 5.2 To report back to Council or the Performance, Priorities and Improvement Group, as appropriate, on reviews undertaken, to include recommendations for draft Improvement Plans where required.
- 5.3 On occasions Council or the Performance, Priorities and Improvement Group may also request this Panel to undertake Reviews or studies that are within the terms of reference of another Review Panel if that Panel is fully committed..

## **K. RESOURCES & CORPORATE MANAGEMENT REVIEW PANEL**

### **1. Membership**

8

### **2. Quorum**

3

### **3. Makes reference to:**

Council  
Performance Priorities and Improvement Group

### **4. Extent of Authority**

All matters within terms of reference.

### **5. Terms of Reference**

- 5.1 To undertake Best Value, Fundamental Service and other Reviews and studies as requested by Council or the Performance, Priorities and Improvement Group in relation to the Council's Finances; Financial Strategy; Investment; Insurance; buildings and physical assets (excluding housing); technological support (Resources Executive Portfolio); the workforce in general (Personnel Executive Portfolio); and corporate health generally (Best Value Executive Portfolio).
- 5.2 To report back to Council or the Performance, Priorities and Improvement Group, as appropriate, on reviews undertaken, to include recommendations for draft Improvement Plans where required.
- 5.3 On occasions Council or the Performance, Priorities and Improvement Group may also request this Panel to undertake Reviews or studies that are within the terms of reference of another Review Panel if that Panel is fully committed.

## **L. PARTNERSHIP & COMMUNITY REVIEW PANEL**

### **1. Membership**

8

### **2. Quorum**

3

### **3. Makes reference to:**

Council  
Performance Priorities and Improvement Group

### **4. Extent of Authority**

All matters within terms of reference.

### **5. Terms of Reference**

- 5.1 To undertake Best Value, Fundamental Service and other Reviews and studies as requested by Council and/or the Performance, Priorities and Improvement Group in relation to the Community Strategy; Community Safety Strategy; Local Strategic Partnership; Community Development and the Grant Aid Budget (Community & Culture Executive Portfolio – part; Community Safety Executive Portfolio; Environment Executive Portfolio – part)
- 5.2 To report back to the Council or Performance, Priorities and Improvement Group, as appropriate, on reviews undertaken, to include recommendations for draft Improvement Plans where required.
- 5.3 On occasions the Performance, Priorities and Improvement Group may also request this Panel to reviews or studies that are within the terms of reference of another Review Panel if that Panel is already undertaking other work.

## **M. JOINT LOCAL COMMITTEES**

### **1. Membership**

All Borough and County Councillors with all or part of their ward/division in the relevant Joint Local Committee area as follows:-

Bedwell  
Broadwater  
Chells  
Old Stevenage  
St Nicholas  
Shephall

### **2. Quorum**

3

### **3. Makes reference to:**

Executive  
Council

### **4. Extent of Authority**

All matters within terms of reference.

### **5. Terms of Reference**

To undertake the following in respect of the local area, subject to Council policy:-

- (i) identifying and meeting the needs of the community in the local area, within the Joint Local Committee's budget, via consultation with and involvement of the community and other appropriate bodies.
- (ii) consulting the community about any other issues that affect it and advising the Executive as appropriate on such issues.
- (iii) seeking agreement for changes from the Executive to services to meet local needs which are outside the immediate responsibility/budget of the Joint Local Committee in respect of, for example:

Refuse collection  
Street Cleaning  
Environmental maintenance  
Housing maintenance and management  
Grounds maintenance  
Local parks and playing fields  
Children's play areas  
Allotments

including seeking agreement to revenue and capital expenditure to meet any changes.

- (iv) monitoring local service delivery, considering the outcome of such monitoring and advising the Executive and Scrutiny and Review Panels as appropriate.
- (v) making grants to local voluntary organisations and community groups, subject to the approved grant procedures.
- (vi) making arrangements for the provision of information about local services and other information to people in the area.
- (vii) acting as a Community Forum where the committee and members of the community can discuss issues of concern to them, such issues to include matters which are the direct responsibility of the Council and County Council and other issues which are the responsibility of other organisations. Where such matters are the direct responsibility of the County Council the lead officer will, where requested, make further enquiries and report back to the person raising the issue or the Joint Local Committee as appropriate.
- (viii) any other matter referred.

## **N. STANDARDS COMMITTEE**

### **1. Membership**

5 – Comprising 3 Councillors and 2 Independent Members

### **2. Quorum**

3 – to include an Independent Member

### **3. Reports to**

Council (see 4. below).

### **4. Extent of Authority**

All matters within terms of reference (some functions of the Committee are direct statutory obligations, which are not delegated from full Council).

### **5. Terms of Reference**

- 5.1 To promote and maintain high standards of conduct by councillors and co-opted members;
- 5.2 To assist councillors and co-opted members to observe the Members' Code of Conduct;
- 5.3 To advise the Council on the adoption or revision of the Members' Code of Conduct;
- 5.4 To monitor the operation of the Members' Code of Conduct;
- 5.5 To advise, train or arrange to train councillors and co-opted members on matters relating to the Members' Code of Conduct;
- 5.6 Responsibility for granting dispensations to councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;
- 5.7 To deal with any reports from a case tribunal or interim case tribunal, and any report from the monitoring officer on any matter which is referred by an ethical standards officer to the monitoring officer;
- 5.8 To deal with any matters referred from the Full Council or any other body;
- 5.9 To consider reports and other communications from external and internal audit relating to good governance and the ethical standards of this Authority and without any limitation on the statutory powers of the Standards Committee making recommendations to the Executive or a Committee of the Council following such consideration;
- 5.10 To review aspects of the Constitution relating to other terms of reference for this Committee including matters covered by the ethical governance audit;

- 5.11 To receive and consider general reports and communications from the Ombudsman and, at the discretion of the Committee, reporting and making recommendations to the appropriate body;
- 5.12 To review and make recommendations on protocols and employment contract conditions dealing with ethical standards for officers' behaviour;
- 5.13 To consider and make recommendations as appropriate on all protocols affecting the conduct of Members and officers;
- 5.14 To review the register of Members' Interests at such times and in such a manner as the Committee feels appropriate.

## **O. PLANNING AND DEVELOPMENT COMMITTEE**

### **1. Membership**

13

### **2. Quorum**

4

### **3. References:**

- (i) Refers to the Council where appropriate in respect of those functions set out at Table 2 (responsibility for Council functions) of Part 3 of the Constitution, or as allocated in Table 1 (Local Choice functions), or in respect of those matters reserved to Council.
- (ii) Advises the Executive as indicated.

### **4. Delegations**

Those matters referred to in Tables 1 and 2, as above.

### **5. Terms of Reference**

5.1 To advise the Executive on the following:

- (i) Identification of consumer needs for services related to planning and development services and facilities functions of the Committee, and recommendation on the development of services and facilities to meet them, including:
  - Land use plans and policy, including local plans
  - Employment and economic development
  - Development control servicesand advising the Executive/Council accordingly.
- (ii) Management and maintenance of planning and development related facilities and services in item 1, including employment and training facilities and services.
- (iii) Monitoring and review of performance in relation to the provision and development of planning and development services and facilities, including employment and training facilities and services, whether provided by the Environment Services Department, other Council Departments, or outside contractors and advising the Executive/Council accordingly.
- (iv) The promotion of economic development of Stevenage, and of specific industrial/commercial land and premises within Stevenage, as to use and development and, where appropriate, about monitoring negotiations for development and redevelopment.

- (v) Development and encouragement of local businesses, employment and training initiatives, with co-ordination and implementation by the Executive as appropriate.
  - (vi) The allocation and monitoring of grant aid and loans to local employment and training initiatives.
- 5.2 Responsibility for Development Control, including Listed Building Control – determination of planning applications, and enforcement matters under planning regulations.
  - 5.3 Responsibility for Building Control – determination of applications under the Building Regulations, and enforcement matters under planning and building legislation.
  - 5.4 Responsibility for the determination of Countryside Management and Tree Preservation matters, including the making of Tree Preservation Orders and related matters, and including consultation with appropriate outside bodies.
  - 5.5 Matters imposed or permitted by legislation in relation to the functions of the Committee.
  - 5.6 Insofar as they are not already referred to in these terms of reference, those relevant powers set out in Schedule 1 of the Local Authorities (Functions & Responsibilities) (England) Regulations as amended (see Table 2 of Part 3 of this Constitution); as clarified by the regulations, subject to them being dealt with, as appropriate, by officers under delegated powers. This is to include the making of charges for any approval, licence or registration etc., in relation to the powers referred to.
  - 5.7 Insofar as they are not already referred to in these terms of reference, those local choice functions set out at Table 1 of Part 3 of this Constitution.
  - 5.8 Any other appropriate matter referred.

**P. GENERAL PURPOSES COMMITTEE**

**1. Membership**

10

**2. Quorum**

3

**3. Reports to:**

- (i) The Council, where appropriate in respect of those functions set out at Table 2 (responsibility for Council functions) or Part 3 of the Constitution or as allocated in Table 1 (local choice functions) or in respect of those matters reserved to Council.
- (ii) The Executive in other cases.

**4. Delegations**

All matters within terms of reference.

**5. Terms of Reference**

5.1 To consider and determine certain matters where a right of appeal exists against the decision of a Member body or an officer including:

- Further reviews under the relevant Regulations by applicants for Housing Benefit and Council Tax Benefits.
- Appeals in relation to housing needs assessment.
- Appeals/reviews in relation to refusals to grant Hackney Carriage/Private Hire Licences.

These terms of reference shall exclude the hearing and determination of:

- appeals by Officers against dismissal or disciplinary action;
- grievances from Officers under the final stage of the grievance procedure;

which shall be dealt with either in accordance with the terms of reference for the Appeals/Grievances Panel or in accordance with the delegations to Officers.

5.2 Insofar as they are not already referred to in these terms of reference, those relevant powers set out in Schedule 1 of the Local Authorities (Functions & Responsibilities) (England) Regulations as amended (see Table 2 of Part 3 of this Constitution) (subject to them being dealt with as appropriate by Officers under delegated powers). This is to include the making of charges for any approval licence or registration, etc. in relation to all the powers referred to.

5.3 Insofar as they are not already referred to in these terms of reference, those 'local choice' functions set out at Table 1 of Part 3 of this Constitution.

**Q. EMPLOYERS' SIDE JOINT CONSULTATIVE COMMITTEE**

**1. Membership**

4

**2. Quorum**

2

**3. Reports to:**

Executive

**4. Delegations**

None, reports to Executive on all issues.

**5. Terms of Reference**

To meet jointly with the Staff Side Joint Consultative Committee to consult with employees, via their representatives, on developments affecting them and on matters not resolved by the Chief Officers.

**R. APPOINTMENTS COMMITTEE**

**1. Membership**

6

**2. Quorum**

3

**3. Reports to:**

Council

**4. Delegations**

As per terms of reference

**5. Terms of Reference**

To make appointments to Chief Executive and Chief Officer posts, subject to the requirements of the LGA 2000 and the Officer Employment rules.

**S. APPEALS/GRIEVANCE PANEL**

**1. Membership**

4

**2. Quorum**

3

**3. Makes reference to:**

Executive (but may not refer up individual Appeals or Grievances heard by the Panel)

**4. Delegations**

All matters within terms of reference

**5. Terms of Reference**

5.1 To hear and determine appeals against dismissal or disciplinary action in the case of Officers employed on Chief Officer Terms & Conditions.

5.2 To hear and determine grievances under the final stage of the grievance procedure in the case of Officers employed on Chief Officer Terms and Conditions, or, in the case of other officers, where no Chief Officer is able to hear the grievance.

**T. STEVENAGE HIGHWAYS JOINT MEMBER PANEL\***

**1. Membership**

- 6 – SBC – 1 from each JLC area
- 6 - HCC – Representing the County Divisions in Stevenage

**2. Quorum**

- 6 – which must comprise representatives of both constituent Authorities

**3. Reports to**

- The HCC Highways District Manager

**4. Delegations**

- None

**5. Terms of Reference**

- 5.1 To offer advise and recommendations on concerning the functions listed below, and offer guidance to the District Manager on how he should exercise his delegated powers

- Barriers, railings and street signs
- Carriageway markings
- Co-ordination of all highway activities
- Comment on highway aspects of planning applications
- Development Control and securing of obligations under the Town and Country Planning Act 1990
- Ditch maintenance
- Emergency standby
- Gully cleansing
- Highway drainage
- Insurance claims
- Minor traffic management projects
- New Roads and Streetworks Act administration, co-ordination, inspection and enforcement
- Pedestrian facilities
- Routine inspection
- Street lighting management and inspection
- Structure maintenance of carriageways and footways
- Winter maintenance
- Road closures

- 5.2 To foster and improve liaison between the Councils on highway matters in the Borough and in monitoring and reviewing the activity and progress of the Highways Unit.

- 5.3 To advise the HCC Highways District Manager on the spending of the budget for the area, as allocated by HCC.

**6. Meetings**

4 per year

*\*NOTE: A separate Constitution and set of Protocols apply to this Joint Members Panel. A copy is available upon request to the SBC Constitutional Services Manager*

**U. JOINT PRIMARY CARE TRUST SCRUTINY COMMITTEE \*–  
Stevenage Borough Council/North Herts District Council/Herts. County Council**

**1. Membership**

4 - SBC  
4 – NHDC  
3 – HCC  
3 – Patients' Forum (Non-Voting)

**2. Quorum**

3 – to include at least one Member from each constituent voting Authority

**3. Reports to**

The relevant Scrutiny bodies of the constituent Authorities

**4. Delegations**

As per the terms of reference

**5. Terms of Reference**

- 5.1 To scrutinise health services delivered or commissioned by the Stevenage and North Hertfordshire Primary Care Trust.
- 5.2 To make reports and recommendations to local NHS bodies or the HCC Adult Care Health Scrutiny Committee and local Councils, as appropriate, and consider replies.

**6. Meetings**

2 per year (other meetings to be held as and when required) to be held at the Council Offices, Gernon Road Letchworth on dates to be determined by the Host Authority (NHDC), unless otherwise determined by the Joint Committee.

*\*NOTE: The Standing Orders of the Host Authority (NHDC) will apply to this meeting. A copy of NHDC Standing Orders are available upon request to the SBC Constitutional Services Manager.*

**V. STEVENAGE/UTTLESFORD AUDIT PARTNERSHIP JOINT COMMITTEE**

**1. Membership**

3 Members from each constituent Authority

**2. Quorum**

3 – to include at least one Member from each constituent Authority

**3. Reports to (SBC)**

The Executive

**4. Delegations**

None

**5. Terms of Reference**

- 5.1 To receive reports on performance of the Partnership and endorse management's choice of Audit coverage.

#### **48. General Conditions of Delegations**

- (a) Where powers and duties have been delegated to a Committee, the Committee can delegate them to an appropriate officer, unless they are subject to special provisions for delegations in relation to the Executive.
- (b) Any decisions taken using delegated powers and duties cannot be put into effect without the agreement of any other body with relevant delegated powers and duties, save that, this power will not apply in the case of a matter within the power of the Executive Committee.

#### **49. DECISIONS AND SENDING UP**

- (a) Matters may/will be 'referred up' in the following circumstances:-
  - (i) The Executive or a Committee refers an issue or recommendation to Council, which is a matter which may be decided by the Council, or a matter on which the Executive or a Committee seeks a view from the Council.  
  
Where a Committee is dealing with a matter delegated to it by the Executive, then the former may refer the matter to the latter for decision.
  - (ii) The Scrutiny Overview Committee refers an issue or recommendation directly to Council in pursuance of its scrutiny role.
  - (iii) Regardless of delegations, there is a specific requirement in law to refer an issue /recommendation to the Council or if it is a matter reserved to Council by the Constitution
- (b) The matter will be inserted in the summons for the next ordinary meeting of the Council or the Executive or a Committee or special meeting of any of them called to consider the matter: subject to (d) below.
- (c) No action may be taken to implement the decision of any body on the matter referred up until a decision has been made by the Council or the Executive or a Committee, subject to (d) below.
- (d) In the event that the Chief Executive is of the opinion that the determination of a matter is urgently required or for some reason should not be referred up, he shall call a meeting of the appropriate body to consider and, if appropriate, to determine the matter provided that it is able to do so.