

## PART 4a - PROCEDURAL STANDING ORDERS

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

- 1.1 The Authority shall hold an annual meeting between 1 March and 30 June each year<sup>1</sup>.
- 1.2 In addition to the annual meeting of the Authority, meetings for the transaction of general business shall be held on such days and at such times as may be determined by the Authority at its annual meeting provided that any such date may be varied or any such meeting cancelled at a subsequent meeting.<sup>2</sup>
- 1.3 The Chairman of the Authority, or if the office of Chairman is vacant, or the Chairman of the Authority is not available, the Vice-Chairman of the Authority may call an extraordinary meeting of the Authority at any time.<sup>3</sup>
- 1.4 Any 3 members of the Authority may call an extraordinary meeting of the Authority where the Chairman:
  - (i) refuses to call a meeting after a requisition for that purpose specifying the nature of the business, having been signed by 3 members, has been presented to him/her; or
  - (ii) fails to call a meeting within 7 days of such requisition being presented to him/her<sup>4</sup>.
- 1.5 Any requisition under SO 1.4 may be presented to the Chairman by being left for him/her with the Clerk and Treasurer.
- 1.6 Where any person or persons decides to call an extraordinary meeting of the Authority, he/she shall signify to the Clerk and Treasurer that he/she has done so, the business to be transacted and the date and time for which the meeting is called. The Clerk and Treasurer shall thereupon ensure that the notices and summonses required by paragraph 4(2) of Schedule 12 to the 1972 Act are published and sent.
- 1.7 Meetings of the Authority shall normally be held at 18 Regent Street, Barnsley, S70 2HG<sup>5</sup>.

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1. LGA 1972 Schedule 12, paragraphs 1 and 6A - Applied by The Local Government Reorganisation (Pensions etc.) (South Yorkshire) Order 1987.

2. A joint authority may in every year hold, in addition to the annual meeting, such other meetings as they may determine; such meetings shall be held at such hour and in such days as the council may determine - LGA 1972, Schedule 12, paragraphs 1 and 2

3. LGA 1972, Schedule 12, paragraph 3 (power to call a meeting); and LGA 1985 Section 34 (3) - Subject to Standing Orders made by the Authority anything authorised or required to be done by or in relation to the Chairman may be done by or in relation to the Vice Chairman.

4. LGA 1972, Schedule 12, paragraphs 3 (2) and 6B (a)

5. LGA 1972, Schedule 12, paragraph 4 (1) - meetings shall be held at such place either within or without the Authority's area, as it may direct.

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- 1.8 Subject to the statutory provisions allowing for urgent meetings at least 5 clear **working days** before the day of the meeting of the Authority<sup>6</sup>;
- (i) notice of the time and place of the intended meeting shall be published at the Authority's offices at 18 Regent Street, Barnsley and, where the meeting is called by Members, the notice shall be signed by those members and shall specify the business proposed to be transacted<sup>7</sup>; and
- (ii) a summons to attend the meeting, specifying the business proposed to be transacted and signed by the Clerk and Treasurer shall be left at or sent by post to the usual place of residence of every member;

Provided that

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

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

- (i) a copy of the agenda including the item (or a copy of the item) has been open to inspection by members of the public in pursuance of SO 1.8 for at least 5 clear working days before the meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened; or
- (ii) by reason of special circumstances, which shall be specified in the minutes, the person chairing the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency<sup>9</sup>.

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

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

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

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6. LGA 1972, Schedule 12, paragraph 4 and LGA 1972, Section 100A(6)

7. LGA 1972, Schedule 12, paragraph 4

8. LGA 1972, Schedule 12, paragraph 4

9. LGA 1972, Section 100 B

10. LGA 1985 (Local Government Act 1985)

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- 2.2 The Authority shall at its annual meeting following the appointment of the Chairman, appoint one of its Members to be Vice Chairman who shall, unless he/she resigns that office or is otherwise disqualified continue in office until immediately after the appointment of the Chairman at the next annual meeting<sup>11</sup>.
- 2.3 On a casual vacancy occurring in the office of Chairman, an appointment to fill the vacancy shall be made at the next ordinary meeting of the Authority held after the date on which the vacancy occurs or if that meeting is held within fourteen days after that date then not later than the next following meeting; and any such meeting may be convened by the Clerk and Treasurer of the Authority<sup>12</sup>.
- 2.4 On a casual vacancy occurring in the office of Vice Chairman, an appointment to fill the vacancy shall be made at the next ordinary meeting of the Authority held after the date on which the vacancy occurs, or if that meeting is held within fourteen days after that date then not later than the next following meeting.
- 2.5 The Chairman, if present, shall preside at a meeting of the Authority<sup>13</sup>.
- 2.6 If the Chairman is absent from a meeting the Vice Chairman, if present, shall preside<sup>14</sup>.
- 2.7 If both the Chairman and the Vice-Chairman of the Authority are absent, Members present at the meeting shall choose who shall preside<sup>15</sup>.
- 2.8 All matters considered at a meeting shall be decided by a majority of the Members present and voting thereon and in the case of an equality of votes, the person presiding at the meeting shall have a second or casting vote<sup>16</sup>.
- 2.9 Subject to the provisions of paragraph 6 of Schedule 12 to the Local Government Act 1972, no business shall be transacted at a meeting of the Authority unless at least one quarter of the whole number of members is present<sup>17</sup>.
- 2.10 If, during a meeting of the Authority, the Chairman declares that there is not a quorum present, the meeting shall stand adjourned to a time later in the day or to a date fixed by the Chairman at the time the meeting is adjourned. If the Chairman does not fix a date, the business remaining to be conducted shall be considered at the next meeting of the Authority. The names of the Members present when the meeting is adjourned shall be recorded upon the minutes of the meeting.
- 2.11 The ruling of the Chairman as to the construction or application of any of these Standing Orders, or any procedural question, at a meeting of the Authority, shall be final and shall not be open to discussion.

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11. LGA 1985 Section 34

12. LGA 1985, Section 34

13. LGA 1972, Schedule 12, paragraph 5

14. LGA 1972, Schedule 12, paragraph 5

15. LGA 1972, Schedule 12, paragraph 5

16. LGA 1972, Schedule 12, paragraph 39

17. LGA 1972, Schedule 12, paragraph 6

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- 2.12 The Chairman shall have control of the meeting and may take such steps as the Chairman considers appropriate to maintain order and the orderly conduct of business.<sup>18</sup>
- 2.13 Without prejudice to SO 2.12 above:-
- (i) if at a meeting any member of the Authority in the opinion of the Chairman misconducts him/herself by persistently disregarding the ruling of the Chairman, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Authority, the Chairman may move “that the member named be not further heard” and the motion if seconded shall be put and determined without further discussion;
  - (ii) if the Member named continues his/her misconduct after a motion under the foregoing paragraph has been carried the Chairman shall either move, “that the Member named do leave the meeting” (in which case the motion shall be put and determined without seconding or discussion) or adjourn the meeting of the Authority for such period as he/she shall consider expedient.
- 2.14 The Chairman may adjourn the Authority in the interest of maintaining order at any time and without prejudice to the right of any Member to propose an adjournment under SO 7.1 may adjourn the Authority for refreshment breaks for a period not exceeding one hour and for a single period of not more than 30 minutes for any other reason.
- 2.15 The Chairman’s powers and responsibilities in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

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

- 3.1 The items to be included in the Authority’s agenda subject to compliance with these Standing Orders, and any statutory provisions shall be fixed by the Clerk and Treasurer in consultation with the Chairman as appropriate.
- 3.2 Unless otherwise provided in accordance with this Standing Order, the Order of Business at every meeting of the Authority shall be :
- (a) to choose a member of the Authority to preside if the Chairman and Vice Chairman are absent;
  - (b) at the annual meeting, and at any other meeting (not being an extraordinary meeting) which is the first after the office of Chairman shall have become vacant, to appoint a Chairman;
  - (c) to deal with any business expressly required by statute to be dealt with before any other business;
  - (d) to receive apologies;
  - (e) to receive announcements from the Chairman and the Clerk and Treasurer;

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**18.** At common law upon taking the Chair at a meeting the Chairman (or whoever may be presiding) becomes vested with authority to regulate and control proceedings for the purposes of the meeting Taylor v Nerfield (1855)

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- (f) to identify whether there are any additional items of business which by reason of special circumstances the Chairman is of the opinion should be considered as a matter of urgency at the meeting the reasons for the urgency shall be specified in the minutes;
- (g) to resolve which items of business shall be dealt with in public and which shall be dealt with after the public have been excluded;
- (h) to approve as a correct record the minutes of the last meeting of the Authority and of any earlier meeting of which the minutes have not been approved, and for the Chairman to sign them;
- (i) to receive declarations of interests;
- (j) to dispose of business, (if any) remaining from the last meeting;
- (k) to receive Deputations (if any) pursuant to SO 13;
- (l) to receive Petitions (if any) pursuant to SO 12;
- (m) to consider motions in the order in which the Clerk and Treasurer has received notice thereof;
- (n) to receive and consider reports, minutes and recommendations of Committees, Sub Committees and Working Parties of the Authority in the order set out in the Agenda;
- (o) to consider any other business specified in the Agenda;
- (p) to consider urgent items of business approved by the Chairman.

3.3 The Order of business specified in paragraph 3.1 may be varied :

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

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

- 4.1 At a meeting of the Authority at which minutes of a previous meeting are submitted for approval as a correct record, the Chairman shall move that those minutes be so approved.
- 4.2 No motion or discussion shall take place upon the minutes, except upon their accuracy, and any question concerning their accuracy shall be raised by amendment.
- 4.3 If no such matter is raised, or if it is raised then as soon as it has been disposed of, the Chairman shall sign the minutes.
- 4.4 Where, in relation to any meeting of the Authority the next such meeting is an extraordinary meeting, the next following meeting (not being an extraordinary meeting) shall be treated as a suitable meeting for the signing of minutes.

## **5. Quorum and Voting**

- 5.1 The quorum of the Authority shall be 3, unless more than one third of the members become disqualified when the quorum shall be determined in accordance with paragraph 45, Schedule 12 of the Local Government Act 1972<sup>19</sup>.
- 5.2 The quorum of a committee or Sub Committee of the Authority shall be 3<sup>20</sup>.

## **6. Notice of Motion**

- 6.1 Notice of every motion, other than a motion which under SO 7 may be moved without notice, shall be given in writing and be signed by the member or members of the Authority giving the notice. The notice shall state for which meeting of the Authority the notice is given.
- 6.2 Unless the Chairman is of the opinion that a motion should be considered as a matter of urgency, notice of every motion of which notice is required shall be delivered to the Clerk and Treasurer at least seven clear days before the day of the meeting for which the notice is given.
- 6.3 The Clerk and Treasurer shall record the time and date at which every such notice is delivered to him/her and the record shall be open to the inspection of every member of the Authority.
- 6.4 The Clerk and Treasurer shall set out in the summons for every meeting of the Authority all motions of which notice has been duly given in the order in which they have been received, unless the member giving such a notice intimated in writing, when giving it, that he/she proposed to move it at some later meeting, or has since withdrawn it in writing.
- 6.5 Every motion shall be relevant to some matter in relation to which the Authority has powers or duties.
- 6.6 If a motion set out in the summons be not moved either by a member who gave notice thereof or by some other member on his/her behalf, it shall, unless postponed by the Authority, be treated as withdrawn and shall not be moved without further notice.
- 6.7 No motion to rescind a resolution passed within the preceding 6 months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed unless the notice thereof given in pursuance of paragraph 6.1 of this Standing Order bears the names of at least 5 members of the Authority. When any such motion or amendment has been disposed of by the Authority it shall not be open to any member to propose a similar motion within a further period of six months.

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

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

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

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

7.1 The following motions may be moved without notice;

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

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

motions relating to the accuracy of the minutes ;

motions under SO 3.3 (change in order of business) ;

remission to a committee ;

appointment of a committee or members thereof, occasioned by an item mentioned in the agenda for the meeting ;

adoption of reports and recommendations of committees and any consequent resolutions ;

approval or amendment of recommendations of the Clerk and Treasurer and any consequential resolutions;

that leave be given to withdraw a motion ;

that the Authority proceed to next business ;

that the question be now put ;

that the debate be now adjourned ;

that the Authority do now adjourn ;

authorising the sealing of documents ;

motions under SO 8.6 to suspend a Standing Order ;

motions in accordance with section 100A (2) or (4) of the Local Government Act 1972 to exclude the public from a meeting where there is likely otherwise to be disclosure of exempt or confidential information;

that a member named under SO 2.13 (ii) be not further heard or do leave the meeting;

inviting a member to remain under SO 17 (interests in contracts and other matters) ;

motions to refer a petition which has been presented to the Authority to the next ordinary meeting of the Authority or appropriate committee for consideration ;

motions to refer a matter raised by a deputation received under SO 13 to the next ordinary meeting of the Authority or appropriate committee.

motions arising from the consideration of such communications as the Chairman and the Clerk and Treasurer shall present to the Authority.

giving consent of the Authority where the consent of the Authority is required under these Standing Orders.

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

## **8. Rules of Debate**

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

8.2 An amendment shall be relevant to the motion and shall be either -

to refer a subject of debate to the next meeting of the Authority or the appropriate committee for consideration or reconsideration; or

to leave out words ; or

to leave out words and insert or add others; or

to insert or add words :

but such omission, insertion or addition of words **shall not have the effect of negating the motion before the Authority.**

8.3 Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of provided that the Chairman may permit two or more amendments to be discussed (but not voted on) together if the circumstances suggest that this course would facilitate the proper conduct of the Authority's business. Where two or more amendments are discussed together they shall be voted upon in the order in which they were moved.

8.4 When an amendment has been lost, other amendments may be moved on the original motion. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

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

to amend or withdraw the motion;

to adjourn the meeting ;

to proceed to next business ;

that the question be now put ;

that a member be not further heard.

## **8.6 Suspension of Standing Orders**

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

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

**9. Questions within the Relevant Councils**

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

**10. Appointments by the Authority**

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

**11. Voting**

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

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

11.3 After a proposition is put from the Chair but before the vote is taken, any three members by show of hands may require that the voting shall be recorded in the minutes of the meeting so as to show whether each member present gave his/her vote for or against that proposition or abstained from voting.

11.4 Except where a recorded vote has been taken, any member who is present when the vote was taken may require his/her vote for or against the question or abstention shall be recorded in the minutes by notifying forthwith the Clerk and Treasurer (or if not present his/her representative attending the meeting).

11.5 Where there are more than two persons nominated for any position to be filled by the Authority and of the votes given there is not a majority in favour of one person, the one having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on, until a majority of votes is given in favour of one person.

**12. Petitions**

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

**21. Local Government Act 1985 Section 41 requires such arrangements to be made**

### **13. Deputations**

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

### **14. General Disturbances**

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

### **15. Recordings at Meeting**

- 15.1 No one may make recordings of any kind other than written notes unless the person presiding at the meeting has given permission. If anyone does so without permission the person presiding at the meeting may either require the person to leave at once and/or adjourn the meeting for as long as he/she thinks fit.

### **15.2 The Authority may webcast meetings of the Authority and its sub-committees.**

### **16. Record of Attendances**

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

### **17. Interests of Members in Contracts and Other Matters**

- 17.1 A member in conducting the business of the Authority is subject to the Member Code of Conduct adopted by his/her Council.
- 17.2 Where any member has a personal or prejudicial interest in any business of the Authority and he/she attends a meeting at which the business is considered, he/she must disclose to that meeting the existence and the nature of the interest before the matter is discussed, or when the interest becomes apparent.

17.3 Where any member has a prejudicial interest in any business of the Authority and he/she attends a meeting at which the business is considered he/she must withdraw from the room when the matter is considered.

17.4 Members of the Authority shall disclose annually to the Clerk and Treasurer any shareholdings which they hold in any quoted company where the market value exceeds £5,000. The Clerk and Treasurer shall record in a register to be kept for the purpose particulars of any disclosure made under this Standing Order 17.4, and the register shall be open to the inspection of any member of the Authority.

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

18.1 Canvassing of members of the Authority, directly or indirectly for any appointment with the Authority, shall disqualify the candidate concerned for that appointment. The purport of this Standing Order shall be included in any form of application.

18.2 A member of the Authority shall not solicit for any person any appointment with the Authority, but this shall not preclude a member from giving a written testimonial of a candidate's ability, experience, or character for submission to the Authority with an application for appointment.

## **19. Staff Appointments**

19.1 In accordance with Section 7 of the Local Government and Housing Act 1987 all staff must be appointed on merit.

19.2 A candidate for any appointment with the Authority who knows that he/she is related to any member or employee of the Authority shall disclose that relationship in his/her application. A candidate who fails to disclose such a relationship shall be liable to be disqualified for the appointment and, if appointed, shall be liable to dismissal without notice. The purport of this SO 19 shall be included in any form of application.

19.3 Every member and senior officer of the Authority shall disclose to the Clerk and Treasurer any relationship known to him/her to exist between the member or officer and any person who they know to be a candidate for an appointment with the Authority.

## **20. Gifts and Hospitality**

20.1 A member who receives a gift or hospitality with an estimated value of at least £25 shall inform the Monitoring Officer. The Monitoring Officer will record the declaration made in the Members Gifts/Hospitality register maintained by the Monitoring Officer. This register shall be open to inspection by members of the Authority.

20.2 The offer to or receipt of gifts or hospitality by an officer of the Authority shall be reported as required by the Code of Conduct applying to officers to the Clerk and Treasurer who shall make a record in a register maintained for this purpose. The register maintained by the Clerk and Treasurer shall be open to inspection by members of the Authority.

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**22. Note deleted.**

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**21. Inspection of Land, Premises etc.**

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

**22. Committees and Sub-Committees**

22.1 The Authority, at the Annual Meeting:-

- (i) shall resolve which committees, including any required by or under any statute, shall be appointed and what shall be the terms of reference of each of these committees and of how many voting members each committee shall consist
- (ii) may resolve that non-voting members, shall also be appointed to any such committee, and if any such appointments are made the numbers shall be specified together with the functions to be exercised by the members appointed
- (iii) may resolve what limitations shall be placed on the powers of any such committee to arrange for the discharge by a sub- committee of any of their functions.

22.2 The Authority may at any other time resolve to appoint a committee, and if so shall decide on the terms of reference, and the number of voting members and may decide on the appointment and functions of non-voting members and on the limitation of the powers of any such committee to appoint sub-committees in accordance with SO 22.1 above.

22.3 The Authority may, subject to any statutory provision, at any time resolve to dissolve a committee or may amend resolutions made under SO 22.1 and 22.2.

22.4 Every committee and sub-committee shall continue to discharge the functions committed to them until the Authority resolve otherwise.

22.5 Subject to S. 102(5) of the 1972 Act (member ceasing to be a member of the Authority shall cease to be a member of a committee) and SO 22.8 below every person appointed as a voting member of a committee or sub-committee (and every person appointed to exercise other functions in relation to a committee) shall continue as such until the appointment is terminated by the Authority.

22.6 A member of the Authority who is not otherwise entitled to attend and speak at a committee or sub-committee shall be entitled to do so, but not to vote:-

- (i) during the consideration of any motion of which notice has been given under SO 6.1 which he/she has moved or seconded at a meeting of the Authority and which has been referred to that committee or sub committee, or
- (ii) with the agreement of the Chairman.

The foregoing provisions of this Standing Order shall not apply to an Appeals Committee.

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

22.7 Whenever:

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

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

22.8 In the light of such a report as is mentioned in SO 22.7 the Authority or committee, as the case may be, shall determine the allocation of seats to political groups.

22.9 Whenever an appointment of a voting member of a committee or sub-committee falls to be made in accordance with the wishes of a political group to whom the seat has been allocated, and whenever such an appointment falls to be terminated in accordance with such wishes then the Authority or the committee, as the case may be, at a meeting at which the wishes of the political group are expressed, or at the next meeting after those wishes are expressed, or where there is a failure to express such wishes shall make or terminate the appointment accordingly.

22.10 Subject to the approval of the Authority and to any resolutions by the Authority under this SO 22 every committee may appoint sub-committees for such purposes as they think fit, and may make arrangements for a sub-committee to discharge any of the functions of the authority which the committee may discharge<sup>23</sup>.

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

23.1 The Authority at the Annual Meeting shall fix the date, time and place of Ordinary Meetings of committees and may fix the date, time and place of Ordinary Meetings of sub-committees.

23.2 If the Authority do not fix the date, time or place of an Ordinary Meeting of a sub-committee then the relevant committee may do so.

23.3 The Chairman of a committee or sub-committee or may call an Extraordinary Meeting of a committee or sub-committee at any time.

23.4 The Chairman of a committee or sub-committee, may if he/she considers it necessary (and after consultation so far as practicable with such persons as appear to him/her to be representative of the political groups to which seats on the committee or sub-committee have been allocated) cancel a meeting of the committee or sub-committee or may change any of the details of place, date or time already fixed for the meeting.

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

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- 23.5 If:
- (i) a requisition for an Extraordinary Meeting of a committee or sub-committee signed by at least 2 or one quarter of the total number of the voting members of the committee or sub-committee, whichever is greater, has been presented to the Chairman, and
  - (ii) either the Chairman has refused to call a meeting or without the Chairman so refusing, within 7 days of presentation of the requisition no Extraordinary Meeting has been called, then any 2 or one quarter of the total number of the voting members of the committee or sub-committee whichever is greater, may forthwith call an Extraordinary Meeting of the committee or sub-committee.
- 23.6 Where it is decided to call an Extraordinary Meeting of a committee or sub-committee under SO 23.5 above, the members calling the meeting shall tell the Proper Officer they have done so, the business to be transacted and the date, time and place for which the meeting is called. The Proper Officer shall then ensure that the necessary notices and summonses are sent out.
- 23.7 Any requisition under 23.5 may be presented by being left with the Clerk and Treasurer.
- 23.8 All meetings of committees and sub-committees shall be held, unless the relevant committee or sub-committee otherwise directs, at 18 Regent Street, Barnsley.

#### **24. Notice of Committee and Sub-Committee Meetings**

- 24.1 At least 5 clear days before a committee or sub-committee meeting the Clerk and Treasurer shall publish a notice of the date, time and place of the meeting at 18 Regent Street, Barnsley. The notice shall be signed by the Clerk and Treasurer or the Chairman or, in the case of an Extraordinary Meeting called under 23.5 by the members of the committee or sub-committee calling the meeting.
- 24.2 At least 5 clear days before a committee or sub-committee meeting or summons giving the date, time and place, signed by the Clerk and Treasurer and specifying the business to be transacted at the meeting shall be left at or sent by post to the usual place of residence (or such other address as has been notified to the Clerk and Treasurer) of each member of the Authority<sup>24</sup>.

#### **25. Committee Agendas**

- 25.1 The agenda for every committee and sub-committee meeting shall include:-
- (a) all items of business which are referred to the committee or sub-committee by the Authority or by another committee or sub-committee;
  - (b) all reports submitted to the committee or sub-committee by the Clerk and Treasurer, and the Monitoring Officer;
  - (c) any item of business directed to be included by the Chairman.

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**24.** See notes 9, 10 and 11 above.

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**26. Quorum for Committees and Sub-Committees**

- 26.1 The quorum of a committee shall be 3 voting members.
- 26.2 The quorum of a sub-committee shall be 3 voting members, except where the membership of the sub-committee is 3 or fewer, in which case the quorum shall be 2 members.
- 26.3 At any meeting of a committee or sub-committee the chair shall be taken at the time specified in the summons convening the meeting and business shall commence as soon as a quorum is present.
- 26.4 If at the expiration of 15 minutes after the specified time of meeting a quorum is not present, no meeting shall take place and the business shall be postponed to the next Ordinary Meeting of the committee or sub-committee unless an Extraordinary Meeting is convened in the meantime for the purpose of dealing with such business.
- 26.5 If during any meeting of a committee or sub-committee, the Chairman, declares that there is not a quorum present, the meeting shall stand adjourned for 15 minutes.
- 26.6 If, after 15 minutes, there is still no quorum present, the Chairman shall declare the meeting at an end and the business shall be postponed to the next Ordinary Meeting of the committee or sub-committee unless an Extraordinary Meeting is convened in the meantime for the purpose of dealing with such business.

**27. Appointment of Chairman and Vice-Chairman of Committees and Sub-Committees**

- 27.1 Appointments of the Chairman and Vice-Chairman of a committee shall be made by the Authority.
- 27.2 The Chairman and Vice-Chairman of a sub-committee shall be appointed at the first meeting of the sub-committee after the Annual Meeting of the Authority, by the sub-committee.
- 27.3 The Chairman, if present, shall preside at every meeting. In the absence of the Chairman the Vice-Chairman, if present, shall preside. If both the Chairman and Vice-Chairman are absent members present at the meeting shall choose who shall preside.

**28. Urgent Action**

- 28.1 The Clerk and Treasurer shall be empowered to act on behalf of and within the powers and duties of the Authority in cases of urgency after consultation where practicable with the Chairman or Vice Chairman of the Authority.
- 28.2 In all cases a written record shall be made of the action taken, the reason for the urgency, and the member consulted.

The Clerk and Treasurer shall report action taken under this SO 28 to the first available meeting of the Authority.

## **29. Arrangements for the Discharge of Functions by Officers**

29.1 Whenever the office of Clerk and Treasurer is vacant or he/she is for any reason unable to act the powers and duties delegated to the Clerk and Treasurer under these Standing Orders may be exercised by:

- (i) the Deputy Clerk and Monitoring Officer;
- (ii) the Deputy Treasurer; ~~or~~
- (iii) the Deputy Clerk/Policy
- ~~(iii)~~(iv) the Deputy Monitoring Officer

subject to any enactment providing otherwise.

## **30. Legal Proceedings**

30.1 Where any document will be a necessary step in any legal procedure or legal proceedings on behalf of the Authority it shall be signed by the Clerk and Treasurer unless any enactment otherwise requires or authorises, or the Authority gives the necessary authority to some other person for the purpose of such procedure or proceedings.

30.2 The Clerk and Treasurer, is authorised to institute, defend or participate in any legal proceedings in any case where either the institution or defence of such proceedings is necessary to give effect to decisions of the Authority or of any committee, sub-committee or officer acting under delegated powers or in any case where the Clerk and Treasurer considers that the institution or defence of, or participation in proceedings is necessary to protect the Authority's interests.

30.3 The Clerk and Treasurer is authorised to settle claims not exceeding £10,000, and in urgent circumstances claims exceeding £10,000. Details of settlements exceeding £10,000 approved by the Clerk and Treasurer shall be reported to the Authority as soon as possible.

## **31. Common Seal of the Authority**

31.1 The Common Seal of the Authority shall be kept in a safe place in the custody of the Clerk and Treasurer.

31.2 A decision of the Authority or of a committee, sub-committee or officer acting under delegated powers shall be a sufficient authority for sealing any document necessary to give effect to the decision.

31.3 The Common Seal shall be affixed to those documents which, in the opinion of the Clerk and Treasurer, should be sealed.

31.4 The affixing of the Common Seal shall be attested by the Clerk and Treasurer or a duly authorised officer:

31.5 The officers authorised for the purposes of SO 31.4 are:

- (i) the Deputy Clerk and Monitoring Officer;
- (ii) the Deputy Treasurer;
- (iii) the Deputy Clerk/Policy
- (iv) the Deputy Monitoring Officer

31.6 The Clerk and Treasurer shall maintain a register of documents to which the Common Seal shall have been affixed. The person attesting the sealing of a document shall sign the register.

## **32. Signing of Agreements and Contracts**

- 32.1 The Authority shall be the contracting party for the purposes of entering into contracts.
- 32.2 The Clerk and Treasurer, the Deputy Clerk and Monitoring Officer, the Deputy Treasurer, the Deputy Clerk/ Policy and the Deputy Monitoring Officer shall each of them be the Agent of the Authority to sign all contracts agreed to be entered into by the Authority, or by any Committee, Sub-Committee or officer acting under delegated powers. Arrangements made by the Authority for the discharge of its functions may provide for additional officers to be the Agent of the Authority for the purposes of signing contracts.

## **33. Variation and Revocation of Standing Orders**

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

## **34. Interpretation and Application**

- 34.1 The decision of the Chairman of the meeting on the question of the construction of these Standing Orders and on any question of order not provided for in Standing Orders shall not be challenged at any meeting of the Authority.
- 34.2 The inclusion or exclusion of any specific matters in any other regulation or resolution shall not be construed as limiting in any way the scope of these Standing Orders.
- 34.3 In these Standing Orders, unless the context otherwise requires the singular includes the plural.
- 34.4 Standing Orders:- 8 (Rules of Debate); 10 (Appointments); 11 (Voting); 12 (Petitions); 13 (Deputations); 14 (General Disturbances); 15 (Recordings at Meetings); 17 (Interests) shall apply to meetings of committees and sub-committees.
- 34.5 Reference to any statute enactment, order regulation or other similar instrument shall be construed as a reference to the statute, enactment, order, regulation or instrument as amended by any subsequent statute, enactment, order regulation or instructions as contained in any subsequent re-enactment thereof.

## **35. Standing Orders to be Given to Members**

- 35.1 A printed copy of the Authority's Standing Orders and Financial Regulations shall be given by the Clerk and Treasurer to every member of the Authority on his/her first being appointed to the Authority.