

Governance Committee 18th March 2015

Table of recommendations

No	Item	Recommendation
4.	Governance Report 4.1 Dates and frequency of Committees 4.2 The Council Seal 4.3 Reports to the Partnership Panel 4.4 Standing Orders 4.5 The Chair's / Mayor's Chain	<i>Revisit Planning Committee dates</i> <i>Extend Limavady seal</i> <i>Approve report, circulated</i> <i>Extend use of current Standing Orders subject to stated amendment</i> <i>Accept offer and use Coleraine chain as permanent chain</i>
5.	Draft Guidance for Local Government Performance Improvement	<i>Write to DoE</i>
6.	Correspondence 6.1 The Honourable The Irish Society's Local Advisory Committee, dated 6 th March	<i>Appoint 4 members at Annual Meeting on 26th March</i>

Governance Committee

Minutes of the Meeting of Causeway Coast & Glens Shadow Council Governance Committee, held in the Council Chamber, Coleraine Borough Council on Wednesday 18th March 2015 at 7.00pm

In the Chair: Councillor Cole

Members present: Councillors Baird, Blair, Clarke, Fielding, Hillis, King, McCorkell, McGlinchey, McKillop, MA, C McShane, Quigley, Robinson, Watton

In attendance: Mr D Jackson, Chief Executive
Mr S McMaw, Head of Convergence
Mrs E Beattie, Head of Policy
Mrs S Duggan, Programme Administrator

1. Apologies

Apologies were recorded from Councillors Finlay, Hickey, Hunter and Mulholland.

2. Declarations of Interest

There were no Declarations of Interest.

3. Minutes of previous meeting held on 12th February 2015

The Chair advised the minutes of the Meeting held 12th February 2015 were adopted on 26th February 2015.

4. Governance Report

D Jackson reported, circulated.

4.1 Dates and frequency of Committees

IT IS RECOMMENDED that Governance Committee proposes the adoption of the draft schedule of meetings.

It was proposed by Councillor Fielding, seconded by Councillor McCorkell to recommend that Council adopt the draft schedule of meetings, attached as Appendix A.

Councillor Baird considered that holding the Planning Committee meeting the day following the full Council meeting, given the proposed workload of the Planning Committee, especially in its first year, may be an onerous task for members.

An Amendment was proposed by Councillor Baird, seconded by Councillor McGlinchey to recommend that Council Officers look at the dates and

frequency of committees timetable again, with a view to coming back with an option that would alleviate the workload of the Planning Committee.

The Chief Executive advised that an option for members' consideration may be to hold the Planning Committee on the 3rd Wednesday of the month.

The Chair put the amendment to the committee to vote, 8 voted For, 7 voted against, the Chair declared the amendment carried.

It was proposed by Councillor Baird, seconded by Councillor McGlinchey and **AGREED to recommend that Council Officers look at the dates and frequency of committees timetable again, with a view to coming back with an option that would alleviate the workload of the Planning Committee.**

* **Councillor Watton arrived at the meeting at 7.09pm during consideration of the above matter.**

4.2 The Council Seal

It was proposed by Councillor Robinson, seconded by Councillor McCorkell and **AGREED to recommend to Council that the use of the Limavady Borough Council Seal is extended until the Borough status is established for the new Council and a replacement Seal is made.**

4.3 Reports to the Partnership Panel

IT WAS AGREED to recommend that Council approve the sample Partnership Panel report, circulated.

4.4 Standing Orders

In response to a query surrounding Point 11, (Deputations), within the Standing Orders, D Jackson clarified that Deputations are referred to the appropriate committee for approval, a new set of Standing Orders would be brought before Council by May at the latest, at which point further adjustments may be made by members, having tested the process.

IT WAS AGREED to recommend that Council extend the use of the current Interim Standing Orders, attached as Appendix B, until the Corporate Policy and Resources Committee and full Council has agreed a new set of Standing Orders, subject to the amendment at 1.3, replace "4th Thursday" with "4th Tuesday" (Annual and Monthly Meetings).

4.5 The Chair's / Mayor's Chain

IT IS RECOMMENDED that Causeway Coast and Glens District Council accepts the offer from The Honourable the Irish Society. It is further recommended that the Chairs / Mayors and their Deputies can pick from any of the antecedent chains of office until such times as a permanent replacement is agreed.

It was proposed by Councillor Fielding, seconded by Councillor Hillis, to recommend that Council accepts the offer from The Honourable the Irish

Society, furthermore, that Council continue to use the Mayor Chain of Coleraine as the permanent Chain of the Causeway Coast and Glens District Council.

Councillor Fielding added that Coleraine had the longest Borough status and was of historical significance as it was the oldest of the 4 legacy area Councils. Councillor Fielding stated that as Coleraine was the Headquarters of the Causeway Coast and Glens District Council and would be the Seat of the Mayor, he would therefore recommend that the Chair/Mayor use the current Coleraine chain as the permanent chain of the Causeway Coast and Glens District Council.

Councillor C McShane felt it would be remiss and disingenuous of Council to make a decision about what would be the present chain without being presented with the historical detail of all 4 of the legacy councils, so that an informed decision may be made. Councillor C McShane felt that it was in the interests of the entire community to encompass what the new Council area symbolises.

An amendment was proposed by Councillor C McShane, seconded by Councillor McGlinchey to recommend that further information be brought back, detailing historical information about the 4 legacy councils to enable members to make an informed decision.

The Chair put the Amendment to the committee to vote, 4 voted For, 11 voted Against, the Chair declared the Amendment had fallen.

The Chair put the Motion to the committee to vote, 11 voted For, 4 voted against, the Chair declared the Motion had passed.

It was proposed by Councillor Fielding, seconded by Councillor Hillis and **AGREED to recommend that Council accepts the offer from The Honourable the Irish Society, furthermore, that Council continue to use the Mayor Chain of Coleraine as the permanent Chain of the Causeway Coast and Glens District Council.**

5. Draft Guidance for Local Government Performance Improvement

S McMaw presented the report, summarised as undernoted:

The DoE Draft Guidance for Local Government Performance Improvement 2015 is out for consultation. Subsequent to its circulation, the Local Government Auditor has confirmed a "Light touch" approach to year 1. The majority of the guidance will not apply to 2015-2016 and the timetable for performance improvement has recently been revised although not officially communicated to Councils as yet.

IT WAS AGREED to recommend that the Causeway Coast and Glens Shadow Council write to the Department of the Environment to clarify the Performance Improvement Guidance that should be applied for year 1 of the new Council.

6. Correspondence

6.1 The Honourable The Irish Society's Local Advisory Committee, dated 6th March 2015

IT WAS AGREED to recommend that Council appoint 4 members to the Honourable The Irish Society's Local Advisory Committee at the Annual Meeting on 26th March.

Committee noted the following items of correspondence:

6.2 The Honourable The Irish Society, Mayoral Chain, dated 9th March 2015

6.3 DHSSPSNI, General Practitioner Charges for Postal Vote Applications

Councillor Watton voiced grave concern, adding that the matter required a resolution at Central Government level. Councillor Hillis and Councillor Quigley concurred with Councillor Watton.

D Jackson advised the matter may be brought forward as a report for consideration to the Partnership Panel.

6.4 Local Government (Accounts and Audit) Regulations (Northern Ireland) 2015

6.5 Local Government (Transitional, Incidental, Consequential and Supplemental Provisions) Regulations (Northern Ireland) 2015

7. Matters for Partnership Panel Report

D Jackson reiterated the suggestion to add DHSSPSNI, General Practitioner Charges for Postal Vote Applications.

Councillor Hillis requested the Chief Executive explore further the directive/suggestion by DoE that Council's nominee to the Partnership Panel should be elected as a 4-year term. Councillor Baird endorsed the suggestion, adding that she felt it was very important that the role was spread, given the vast diversity of the Causeway Coast and Glens area.

This being all the business the meeting closed at 7.50pm.

Appendix A: Draft schedule of meetings

Appendix B: Interim Standing Orders

Meeting	April 2015	May	June	July	August	September	October	November	December	January 2016	February	March	April	May
Council 7.00pm 4 th Tuesday	28 th April	26 th May	23 rd June	28 th July	25 th August	22 nd September	27 th October	24 th November	22 nd December reschedule	26 th January	23 rd February	22 nd March	26 th April	25 th May
Audit Committee 7.00pm			16 th June				20 th October		15 th December			15 th March		
Corporate Policy & Resources Committee 7.00pm 3 rd Tuesday	21 st April	19 th May			18 th August	15 th September		17 th November		19 th January	16 th February		19 th April	17 th May
Environmental Services Committee 7.00pm 1 st Tuesday	7 th April Easter week	5 th May	2 nd June		4 th August	1 st September	6 th October	3 rd November	1 st December	5 th January reschedule	2 nd February	1 st March	5 th April	3 rd May
Leisure & Development Committee 7.00pm 2 nd Tuesday	14 th April	12 th May	9 th June		11 th August	8 th September	13 th October	10 th November	8 th December	12 th January	9 th February	8 th March	12 th April	10 th May
Planning Committee 2.00pm 4 th Wednesday	22 nd April	27 th May	24 th June	22 nd July	26 th August	23 rd September	28 th October	25 th November	23 rd December reschedule	27 th January	24 th February	23 rd March	27 th April	24 th May

Interim Standing Orders

INTERIM STANDING ORDERS

FOR CAUSEWAY COAST AND GLENS SHADOW COUNCIL

1. Annual and Monthly Meetings

(1) In every year that is not a local election year the Council shall hold an Annual Meeting in the month of June.

(2) In any year which is a local government election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as the Council may fix at the offices of the Council or at such other place as the Department may direct. In Transition a further Annual Meeting is required during March 2015.

(3) A meeting of the Council for the transaction of general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the 4th Thursday of every month. Other meetings of the Council for the transaction of general business shall be held as the Council considers necessary.

(4) Meetings of the Council shall not take place on a Public or Bank Holiday, a Saturday or a Sunday. When the day of a meeting falls on one of these days, the meeting shall be held on another suitable weekday instead.

2. Time and place of meetings

In Transition the Annual Meeting and other meetings of the Council shall be held at 7pm in the Shadow Council Chamber, except where otherwise fixed by statute or by special summons.

3. Convening Special Meetings

(1) The Presiding Councillor of the Council may call a meeting of the Council at any time.

(2) The Presiding Councillor of the Council may call a meeting of the Council if a requisition for such a meeting, signed by five members or one-fifth of the whole number of members, whichever is the greater, is presented to him/her; and, if he/she refuses to call a meeting on such a requisition or if, without so refusing, he/she does not call such a meeting within the period of seven days from the date of service of the requisition on him/her, any five members or one-fifth of the whole number of members, whichever is the greater, may on that refusal or on the expiration of that period forthwith call a meeting of the Council.

4. Notice and Summons of Meetings

Three days at least before a meeting of the Council, a Committee or Sub-Committee:

be signed by them and shall specify the business proposed to be transacted thereat;

(2) A summons to attend the Meeting, specifying the business proposed to be transacted thereat and signed by the Clerk shall be left at, or sent by ordinary post or email, to the usual place of residence of every member. Want of service of this summons shall not affect the validity of a Meeting;

(3) Except in the case of business required by statute, or where in the opinion of the Presiding Councillor of the Meeting the business should be considered by the Meeting as a matter of urgency, no business shall be transacted at a meeting of the Council, a Committee or Sub-Committee other than that specified in the summons relating thereto.

5. Chair to be taken

At each meeting of the Council, the chair shall be taken by the Presiding Councillor at the time for which the meeting is convened, and business immediately proceeded with.

6. Presiding Councillor of Meeting

(1) At a Meeting of the Council, the Presiding Councillor of the Shadow Council, if present, shall preside.

(2) If the Presiding Councillor of the Council is absent from a Meeting of the Council, the Deputy Presiding Councillor, if present, shall preside.

(3) If both the Presiding Councillor and Deputy Presiding Councillor are absent from a Meeting of the Council, the nominating officer of the political party whose member is Presiding Councillor of the Council shall nominate a member to preside in their absence.

(4) If discussion arises on the allocation of the position of Presiding Councillor, the Clerk shall exercise the powers of the Presiding Councillor to assist in the regulation of that discussion.

(5) Any power of the Presiding Councillor of the Council in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

7. Quorum

(1) Subject to sub-paragraph 7.4, no business shall be transacted at a Meeting of the Council unless at least one-quarter of the whole number of members are present.

(2) If during a meeting, the person presiding, after the number of members present is counted, declares that a meeting is inquorate and it is unlikely that there will be a quorum present within a reasonable time, he shall declare the meeting adjourned.

(3) Any uncompleted business on the agenda of a meeting adjourned under Standing Order 7(2) above, shall be tabled for discussion at the reconvened meeting. No business, other than the uncompleted business on the agenda of the meeting adjourned, may be discussed at the reconvened meeting.

(4) Where more than one-quarter of the members become disqualified at the same time then, until the number of members in office is increased to not less than three-quarters of the whole number of members, the quorum of the Council shall be determined by reference to the number of members remaining qualified instead of by reference to the whole number of members.

8. Admission to meetings

(1) Subject to the provisions of this Standing Order, every Meeting of the Council shall be open to the public.

(2) The public and press may attend only in those parts of the Council Chamber provided for their accommodation at meetings of the Council, unless specifically excluded in accordance with the provisions of Standing Order 9; or as required by the Council to comply with provisions in relation to Fire Safety and Health & Safety.

(3) The admission of the public is upon the understanding that they must continue at all times to be seated, and that no expression of opinion or noise of any kind be allowed from them.

(4) At all times during which a Meeting of the Council is open to the public, the Council shall, so far as is practicable, cause to be made available to duly accredited representatives of newspapers, attending for the purpose of reporting proceedings at the meeting, reasonable facilities for taking reports of these proceedings and, on payment by those representatives or their newspapers of any expenses which may be incurred, for transmitting such reports to their newspapers.

(5) Taking photographs of proceedings or the use of any other means by members of the public to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council.

(6) The use of social media by member of the council, members of the public or journalists shall be permitted, during those proceedings that are open to the public, to the extent that its use does not disrupt proceedings.

9. Record of attendances at meetings

The names of the members present at a meeting of the Council shall be recorded by the Clerk.

10. Exclusion of the public

(1) The public shall be excluded from a Meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence.

(2) The Council may by resolution exclude the public from a Meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the Meeting.

(3) The Presiding Councillor may at any time during the proceedings, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals from the Council Chamber, or order the Council Chamber to be wholly cleared of members of the public.

(4) The Council, having excluded the public, shall only consider the matter referred to it by the resolution. If it should be deemed necessary to consider any matter not included in the resolution, the public shall be re-admitted and the Presiding Councillor may ask leave of the Council to take up the consideration of such additional matters as may be deemed desirable.

(5) The Council, having excluded the public, shall not have the power to adjourn its own sittings or to adjourn a debate to a future sitting. If the business referred to in the resolution is not transacted, the Council may be resumed and a member of the Council may move that the Council again exclude the public on a future day to deal with the business specified in the resolution which was not transacted.

(6) If the Council, with the public excluded, has transacted part of the business referred to it, without being able to reach a decision on all the business so referred, a member of the Council may, with leave of the Council, report on the progress to that point and ask the Council's permission to sit again.

(7) When the Council, having transacted business with the public excluded, submits its report to the Council, a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

11. Deputations

(1) Deputations, from any source, shall only be admitted to address the Council provided the Clerk has received 7 days notice of the intended deputation and a statement of its objective.

(2) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. The totality of the address shall not exceed 10 minutes.

(3) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council may decline to accept another deputation on the same issue from the same individual or group for a period of six months.

12. Order of Business

Subject to any statutory requirements to the contrary, the order of business at every meeting of the Council shall be as follows:

- a) confirmation of the Minutes of the last stated Meeting and of all adjourned meetings and special meetings held since the last stated Meeting;
- b) declaration of members interests;
- c) matters arising;
- d) deputations;
- e) business required by statute to be transacted at the Meeting;
- f) adoption of the minutes of the proceedings of any committees and consideration of reports, if any, from such committees;
- g) reports of officers, public bodies, agencies etc, if any, may be considered and such orders given thereon as may be deemed necessary;
- h) reports on decisions/recommendations subject to the reconsideration procedure;
- i) other Reports;
- j) correspondence and matters not already dealt with;
- k) sealing of documents;
- l) consideration of motions of which due notice has been given, in the order in which they have been received;
- m) any other relevant business.

13. Minutes of the Council

13.1 Keeping of; as evidence;

(1) Minutes of the proceedings of a Meeting of the Council, or of a committee or sub-committee, shall be drawn up and entered in a bound book kept for that purpose.

(2) No discussion shall take place upon the Minutes except upon their accuracy.

(3) Any minute purporting to be signed as mentioned in sub-paragraph (1) shall be received in evidence without further proof.

(4) Until the contrary is proved, a Meeting of the Council or of a committee or sub-committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and all the members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a committee or sub-committee, the committee or sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

13.2 Signing of

The Minutes of a Meeting of the Council shall be signed at the next ensuing Meeting of the Council by the Presiding Councillor presiding, if approved by the meeting at which they fall to be signed.

14. Submission of Minutes

(1) In order to give sufficient time for the printing of the minutes and for their perusal by the members of the Council, minutes of meetings of a committee held later than seven clear days before the meeting of the Council shall not be submitted to that meeting for approval. This may be disapplied where a committee considers the matter to be of extreme urgency and records such a decision in its minutes.

(2) It shall be the duty of a committee, through the respective Chair, or his/her representative, when its minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.

15. Minutes of Committees

(1) A motion or amendment shall not be made or proposed, or any discussion allowed on the proceedings of committees with reference to any matter within the remit of a committee which does not appear on the minutes submitted to the Meeting of the Council.

(2) Any member wishing to raise an issue regarding any matters appearing in the minutes submitted to the Council for approval and who states his/her request in writing to the Presiding Councillor of the committee twenty-four hours before the commencement of the Meeting of the Council shall be entitled to a reply when the proceedings of the particular committee are submitted for approval.

(3) A reply to an issue raised at the meeting regarding any matter in the minutes, without written notice, shall be at the discretion of the Presiding Councillor of the committee.

16. Motions

(1) Every motion shall be relevant to some matter:

i) in relation to which the Council:

a) has power or duties;

b) is not prevented from taking action on by other legislation;

ii) which directly affects the local government district or its residents; and

iii) for which the Council is legally competent.

16.1 On notice

(1) Notice of every motion, other than a motion which under Standing Order 16.2 may be moved without notice, shall be given in writing, signed by the member or members of the Council giving the notice, to the Clerk not later than at least seven clear days before the next Meeting of the Council.

The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language, and not later than seven clear days before the meeting.

(2) A motion shall be rejected if the wording or nature of the motion is considered unlawful or improper.

(3) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every Member of the Council.

(4) Notices of motion shall be entered by the Clerk in their proper place upon the Summons Paper in the order in which they are received.

(5) If a motion set out in the Summons is not moved either by a member who gave notice, or by some other member on his behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

(6) If the subject matter of any motion of which notice has been properly given comes within the remit of any committee it shall, upon being moved and seconded, stand referred without discussion to that committee, or to such other committee as the Council may determine, for consideration and report. The Presiding Councillor presiding may, if he/she considers it urgent and necessary to the dispatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

(7) If a notice of motion fails to be considered at a Meeting of the Council, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Clerk by the member concerned not later than seven clear days, at least, before the Council meeting.

(8) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the Summons Paper for a period of six months from the date of the second meeting at which the matter has failed to be considered.

16.2 Without notice

The following motions may be moved without notice:

- a) to appoint a temporary Presiding Councillor of the meeting at which the motion is moved;
- b) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a committee or members thereof arising from an item on the summons for the meeting;
- f) to receive reports or adoption of recommendations of committees or officers and any resolutions flowing from them;

- g) to withdraw a motion;
- h) to amend a motion;
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) to adjourn a meeting;
- m) to suspend Standing Orders, in accordance with Standing Order 27.1;
- n) to exclude the public and press in accordance with section 42 of the 2014 Act;
- o) to not hear further a member named under Standing Order 23.3 or to exclude them from the meeting under Standing Order 23.4.

17. Amendments

(1) When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:

- a) to amend the proposal; or
- b) that the Council do now adjourn; or
- c) that the debate be adjourned; or
- d) that the question be now put; or
- e) that the Council do proceed to the next business.

17.1 To amend the Proposal

(1) An amendment must be legitimate and within the scope of the notice convening the meeting. It must not be a direct negative; must be relevant to the proposal which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the proposal which it seeks to amend, and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.

(2) An amendment to a motion shall be either:

- a) to refer a subject of debate to a committee or to an officer for consideration or re-consideration;
- b) to leave out words;
- c) to leave out words and insert or add others; or
- d) to insert or add words

but such omission, insertion or addition of words shall not have the effect of directly negating the Motion before the Council.

(3) When an amendment upon an original proposal has been moved, the question to be put shall be "That the amendment be made". Where any amendment is agreed, the question to be put shall be "That the proposal, as amended, be agreed". Where any amendment is rejected the question of the substantive proposal shall be put.

17.2 That the Council Do Now Adjourn

(1) Any member of the Council who has not already spoken to the proposal or amendment then under debate may move “that the Council do now adjourn”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.

(2) In the event of the proposal for the adjournment being carried, the Chair shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the Agenda for the meeting so adjourned.

(3) A second proposal “that the Council do now adjourn” shall not be made within half-an-hour unless, in the opinion of the Chair, the circumstances are materially altered.

17.3 That the Debate be Adjourned

(1) Any member of the Council who has not already spoken to the proposal or amendment then under debate may move “that the debate be adjourned”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.

(2) Before putting to the meeting a proposal “that the debate be adjourned”, the Presiding Councillor presiding shall call on the mover of the proposal or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.

(3) If the proposal be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the Council unless a special meeting of the Council shall be called for the purpose.

(4) On resuming an adjourned debate, the member who moved its adjournment shall be entitled to speak first. A second proposal “that the debate be adjourned” shall not be made within half-an-hour. A member shall not move or second more than one proposal for the adjournment of the same debate.

17.4 That the Question Be Now Put

(1) Any member who has not already spoken to the proposal or amendment then under debate may move “that the question be now put”. Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.

(2) If the Presiding Councillor is of the opinion that the subject before the Council has been sufficiently discussed, he shall put the proposal “that the question be now put”

to the vote without debate and if same is carried, the proposal or amendment under discussion shall be put to the Council.

(3) A second proposal "that the question be now put" shall not be made on the discussion of the same question within half-an-hour.

(4) A member shall not move or second more than one proposal "that the question be now put" on the discussion of the same question.

17.5 That the Council Do Now Proceed to the Next Business

(1) Any member of the Council who has not already spoken to any proposal or amendment then under debate may move, "that the Council do proceed to the next business". Such a proposal must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.

(2) If the Presiding Councillor is of the opinion that the subject before the Council has been sufficiently discussed, he shall put the proposal "that the Council do proceed to the next business" to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the Council.

(3) When a proposal is carried "that the Council do proceed to the next business", the question under discussion shall be considered as dropped.

(4) A second proposal "that the Council do proceed to the next business" shall not be made on the same question within half-an-hour.

(5) A member shall not move or second more than one proposal "that the Council do proceed to the next business" on the discussion of the same question.

18. Rules of Debate

18.1 Motions and amendments to be reduced to writing and seconded

(1) A Motion or Amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 16.1, it shall, if required by the Presiding Councillor presiding, be put into writing and handed to the Presiding Councillor presiding before it is further discussed or put to the meeting.

(2) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.

18.2 Alteration of motion

(1) A Member may alter a motion of which he/she has given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion.

(2) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

(3) Only alterations which could be made as an amendment may be made.

18.3 Withdrawal of motion

(1) A Member may withdraw a motion of which he/she has given notice under Standing Order 16.1 at any time after the meeting has commenced provided that he/she has not moved the motion or spoken on it and has the consent of the meeting. The meeting's consent will be signified without discussion.

(2) A Member may withdraw any other motions which he/she has moved with the consent of both the meeting and seconder. The meeting's consent will be signified without discussion.

(3) No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

18.4 Mode of address

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

18.5 Precedence in speaking

Whenever two or more members request together to speak, the Presiding Councillor shall decide who has precedence.

18.6 Member called to order

If any member, while speaking, be called to order, he/she shall resume his/her seat and shall not again address the Council until the Presiding Councillor has disposed of the question of order.

18.7 Definition of point of order

A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or provision and the way in which he/she considers it has been broken.

19.9 Member may raise a point of order

A member may raise a point of order and shall be entitled to be heard immediately.

19.10 Ruling of Presiding Councillor on point of order

The ruling of the Presiding Councillor on a point of order shall not be open to discussion.

19.11 Member to speak to Motion

A member who speaks shall direct his/her speech strictly to the Motion under discussion, or an amendment thereof.

19.12 Member shall not speak more than once

A member who has spoken on any Motion shall not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another member;
- b) if the Motion has been amended since he/she last spoke, to move a further amendment;
- c) if his/her first speech was on an amendment moved by another Member to speak on the main issue whether or not the amendment on which he/she spoke was carried;
- d) in the exercise of a right to reply given by Standing Order 19.19;
- e) on a point of order.

19.13 Duration of speeches

Except with the permission of the Council, a member, in introducing a Motion, shall not speak for more than ten minutes and in replying, for more than five minutes.

19.14 Addressing the Council

The Council during its sitting, shall not, unless with the consent of the Council, be addressed by any person who is not a member of the Council.

19.15 Only one motion / amendment may be moved and discussed at a time

- (1) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (2) If an amendment is not carried, other amendments to the original motion may be moved.
- (3) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

19.16 When a motion is under debate no other motion shall be moved

When a Motion is under debate no other Motion shall be moved except the following:

- a) to amend the motion;
- b) to adjourn the meeting;
- c) to adjourn the debate;
- d) to proceed to the next business;
- e) that the question be now put;
- f) that a Member be not further heard;
- g) by the Presiding Councillor under Standing Order 23.4, that a Member do leave the meeting.

19.17 Presiding Councillor calling the meeting to order

Whenever the Presiding Councillor calls the meeting to order during a debate, a Member then speaking shall cease and the Council shall be silent.

19.18 Presiding Councillor not to receive motion for direct negative

The Presiding Councillor shall not receive a Motion for a direct negative to a question but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.

19.19 Mover's right of reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his amendment.

19. Voting

19.1 Majority

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those members present and voting.

19.2 Presiding Councillor's casting vote

If there are equal numbers of votes for and against, the Presiding Councillor will have a second or casting vote.

19.3 Qualified majority

Legislative provision - the Local Government Act (Northern Ireland) 2014 and the Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014). A qualified majority shall be required in relation to a council's decision on:

- (a) the adoption of executive arrangements or prescribed arrangements as the council's form of governance (section 19 of the 2014 Act);
- (b) the method to be adopted for filling positions of responsibility (Schedule 1 of the 2014 Act);
- (c) the method to be adopted for appointing councillors to committees (Schedule 2 of the 2014 Act); and
- (f) the suspension of standing orders..

19.4 Show of hands

Unless a ballot or recorded vote is demanded under Standing Order 20.5, the Presiding Councillor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

19.5 Recorded vote

If, before a vote is called, any member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

20. Appointment of more than one committee

Legislative provision - the Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014

(1) Where the Council appoints more than one committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent members of the Council, it must agree—

(a) the number of committees to be appointed; and

(b) the number of councillors that shall constitute the membership of each committee.

(2) The total number of places to which a nominating officer of a party may nominate members who stood in the name of that party when elected must be calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.

(3) A nominating officer's function under paragraph 2(1)(b) of Schedule 2 to the 2014 Act shall be exercised in such manner as to ensure that—

(a) all members of a committee are not nominated by the same nominating officer;

(b) a nominating officer of a party may nominate members who stood in the name of that party to fill the majority of places on a committee, if the majority of members stood in the name of that party; and

(c) subject to (a) and (b), the number of members nominated by each nominating officer of a party, in so far as is reasonably practicable, bear the same proportion to the number of places on that committee as is borne by the number of members who stood in the name of that party.

(4) Nominations made in accordance with sub-paragraph (3) of this standing order shall take into account any positions of responsibility on a committee held by a member who stood in the name of a party.

21 Rescission of a preceding resolution

(1) No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed by a member unless the notice thereof given in pursuance of Standing Order 17.1 bears the names of at least 15% of the members of the Council.

(2) When any such motion or amendment has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months.

(3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a committee.

22 Members conduct

22.1 Member not to be heard further

If at a meeting any Member of the Council, misconducts himself/herself by persistently disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the Council, the Presiding Councillor or any other Member may move "that the Member named be not further heard". The Motion, if seconded, shall be put and determined without discussion.

22.2 Member to leave the meeting

If the Member named continues to behave improperly after such a motion is carried, the Presiding Councillor or any other Member may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

22.3 General disturbance

When the Presiding Councillor is of the opinion that the due and orderly dispatch of business is impossible, he/she in addition to any other powers vested in him/her may, without question put, adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

23 Disturbance by public

23.1 Removal of member of the public

If a member of the public interrupts proceedings, the Presiding Councillor will warn the person concerned. If they continue to interrupt, the Presiding Councillor will order their removal from the meeting room.

23.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Presiding Councillor may call for that part to be cleared.

24 Suspension and amendment of Standing Orders

24.1 Suspension

A member may move a motion for the suspension of one or more of these Council Standing Orders. A motion under this Standing Order shall require the support of a qualified majority vote within the meaning of section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The Minutes of the meeting must record the reason for the suspension. Mandatory standing orders may not be suspended by a council.

24.2 Amendment

Any motion to, add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of
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the Council.

25. Interpretation of Standing Orders

The ruling of the Presiding Councillor as to the interpretation, construction or application of any of these Standing Orders or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.

Definitions – General

“2014 Act” means the Local Government Act (Northern Ireland) 2014

“2014 Executive Arrangements Regulations” means the Local Government (Executive Arrangements) Regulations (Northern Ireland) 2014

“2014 Standing Orders Regulations” means the Local Government (Standing Orders) Regulations (Northern Ireland) 2014

“call-in” means a requisition for the reconsideration of a decision as provided for in section 41(1) of the 2014 Act.

In Standing Order 20

“budget” means the expenditure authorised by a council under section 3 of the Local Government Finance Act (Northern Ireland) 2011;

“clerk” means the clerk to the council appointed under section 41 of the Local Government Act (Northern Ireland) 1972;

“committee” means a committee appointed under section 7 of the 2014 Act;

“delegated authority” means the discharge of a function under authority fixed by a council under section 7 of the 2014 Act;

“decision maker” means the body or person making an executive decision, a decision under delegated authority or a key decision;

“executive” means a cabinet-style executive or a streamlined committee executive as provided for in section 21(2) of the 2014 Act;

“executive decision” means a decision taken by a decision maker in connection with the discharge of a function which is the responsibility of the executive of a council;

“key decision” means a decision under executive arrangements which is likely—

(a) to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council’s annual budget for the service or function to which the decision relates; or

(b) to be significant in terms of the effects on communities living or working in an area comprising two or more electoral areas in the local government district of the council;

“member” means a member of the council; and

“policy framework” means the policies and procedures agreed by the council in relation to the delivery of a function or functions of the council.

In Standing Order 22

“2000 Act” means the Political Parties, Elections and Referendums Act 2000;

“member” means councillor;

“nominating officer” in relation to a party, means

(a) the person registered under the 2000 Act as the party’s nominating officers; or

(b) a member of the council nominated under the 2000 Act for the purposes of Schedule 1 to the 2014 Act; and

“party” means a party registered under the 2000 Act in the Northern Ireland register (within the meaning of that Act).