



NOTTINGHAMSHIRE
Fire & Rescue Service
Creating Safer Communities

Nottinghamshire and City of Nottingham
Fire and Rescue Authority

Updated Governance Arrangements

Report of the Clerk to the Fire Authority

Agenda Item No:

11

Date:

24 February 2012

Purpose of Report:

To advise members of the outcome of the review by the Standards Committee of revised Standing Orders.

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1. BACKGROUND

In order to maintain the smooth running of the Fire Authority and its Committees and Sub-Committees, it is necessary to update the current constitutional arrangements, which, in some cases, have been in place for more than 10 years. The first report in respect of this issue, following review by the Standards Committee, was presented to the full Authority at its meeting on 16 December 2011 and addressed Terms of Reference for Committees, Complaints against Members Procedure and revised Financial Regulations. All of these documents were formally adopted by the Authority at that meeting.

The issue of revised Standing Orders was initially looked at by the Standards Committee at its meeting on 2 December 2011 and a number of issues were raised which required clarification. Subsequently the revised Standing Orders, with further amendments, were reconsidered by the Standards Committee at its meeting on 10 February 2012. These are now being presented to the Authority, together with a request for clarification of certain elements, for final consideration and, if approved, formal adoption.

2. REPORT

The proposed Standing Orders attached at Appendix A to this report follow on from a "best practice" review of a number of other Fire Authorities and have been scrutinised on two separate occasions by the Standards Committee. Notwithstanding this scrutiny there is still one issue which the Standards Committee considered should be the subject of specific review by the full Fire Authority:-

- (i) provision has now been made in Section 15 (15.15 – 15.25) for questions to be asked by members of the public. It was felt by the Standards Committee that this should also include the ability to ask one supplementary question provided that it related directly to the original question or the answer given to that question. However, the Standards Committee were of the opinion that the issue of whether or not to extend the ability to ask one supplementary question to Members Questions under Section 15 (15.1 – 15.7) and/or Trade Union Questions (15.8 – 15.14) should be a matter for consideration by the full Fire Authority.

Other changes which are specifically drawn to members' attention are as follows:-

- (ii) Section 4.3 – this reflects the established practice of appointing the Chair from one constituent authority and the Vice-Chair from the other;
- (iii) Section 4.8 – this reflects the established practice of appointing members to committees and chairs of committees at the annual meeting of the Authority;
- (iv) Section 4.9 – this provides for the filling of vacancies on committees outside of the annual meeting of the Authority;

- (v) Section 7.5 – sets out a revised procedure for the explanation of poor attendance at meetings by members;
- (vi) Section 9 – Confirms the already established position with regard to the appointment of substitutes;
- (vii) Section 17.6 - has been added to specifically allow the use of cameras, tape recorders or other digital recording devices at meetings of the full Fire Authority its Committees and Sub-Committees which are open to the public.
- (viii) Section 28.6 – which deals with required declarations in respect of appointments at chief officer level has been enhanced to include the disclosure of close friendships.

For members assistance the original standing orders are attached as Appendix B.

3. FINANCIAL IMPLICATIONS

None

4. HUMAN RESOURCES AND LEARNING AND DEVELOPMENT IMPLICATIONS

None

5. EQUALITIES IMPLICATIONS

An Equality Impact Assessment has not been undertaken because the decision does not relate to new or changing policies, services or functions.

6 CRIME AND DISORDER IMPLICATIONS

Having strong and robust constitutional arrangements assists the Authority in delivering on its obligations under s17 Crime and Disorder Act 1998.

7. LEGAL IMPLICATIONS

The contents of the report raise no significant legal issues.

8. RISK MANAGEMENT IMPLICATIONS

If the constitutional arrangements are not reviewed and updated there are potential risks to the Authority both in terms of reputational damage and around its ability to

deliver strong and decisive governance. Robust financial regulations also enable mitigation of the risk of fraud.

9. RECOMMENDATION

1. That members consider the revised Standing Orders attached as Appendix A and the issues raised by the Standards Committee in respect of supplemental questions set out in section 2 of this report.
2. That subject to satisfactory resolution of all outstanding issues the Standing Orders be approved.

10. BACKGROUND PAPERS FOR INSPECTION (OTHER THAN PUBLISHED DOCUMENTS)

None.

Malcolm R Townroe
Clerk to the Fire Authority

STANDING ORDERS

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“the Roll” the list of persons entitled to be present and to vote.

2 GENERAL

2.1 In the conduct of meetings of the Authority and its subordinate bodies these Standing Orders shall:

- (a) be regarded primarily as a safeguard for the orderly conduct of business without unreasonable obstruction and not principally as a restriction on the right of Members to speak freely upon the business in front of them.
- (b) not restrict the right of persons presiding at meetings to indicate the manner (eg “Chair of the Authority” or “Chair”) in which they prefer to be addressed.

3 PUBLIC NOTICE OF MEETINGS

3.1 Notice of the time and place of meetings of the full Fire Authority and its Committees and Sub-Committees shall be published at Fire Authority Headquarters at least 5 clear days before the meeting. This shall also be the case for urgent meetings called at short notice where the notice shall be published within 5 clear days of the meeting or otherwise as soon as possible, if the urgent meeting is called less than 5 clear days before the meeting. (Note: Clear days excludes the day of notice, the day of the meeting, Bank Holidays, Saturdays and Sundays.)

3.2 The agenda in respect of all meetings of the Authority within the Authority’s political structure shall be sent by post or email or left at each Members’ notified place of residence, or such other place as specified by a Member, at least 5 clear working days before the meeting. The agenda in respect of urgent meetings shall be sent as soon as possible.

4 ELECTION OF CHAIR AND VICE-CHAIR

4.1 The first item of business at the Annual meeting of the full Fire Authority shall be to elect from its membership a Chair for the ensuing year.

4.2 The second item of business at the Annual meeting of the full Fire Authority shall be to elect from its membership a Vice-Chair for the ensuing year.

4.3 If the elected Chair is a Member of Nottinghamshire County Council, the Vice-Chair shall be elected from the Nottingham City Council Members, and vice versa.

4.4 If there is more than one nomination for either of the posts, the decision shall be made by a show of hands. If after the show of hands there is an equality of votes, the Chair, or the person presiding at the meeting shall exercise a second and casting vote.

4.5 The Chair and Vice-Chair may continue in office for such period, not exceeding one year, as the Authority shall determine provided they remain in membership of the Authority or unless determined otherwise by a vote of members of the full Fire

Authority.

- 4.6 If the Chair and Vice-Chair are both absent from a meeting, a Chair shall be appointed for that meeting from among those Members present.
- 4.7 Any power or duty of the Chair in relation to the conduct of a meeting shall be exercised by the person presiding at the meeting.
- 4.8 At the annual meeting of the full Fire Authority members shall be appointed to each of the Authority's Committees and Sub-Committees and a Chair appointed for each.
- 4.9 In the event that any vacancy shall arise on any Committee or Sub-Committee between Annual Meetings then, provided that where required, notice of appointment has been given by either Nottinghamshire County Council or Nottingham City Council, as appropriate, appointment to the affected Committee(s) in question, solely in order to fill the vacancy, may be made by the lead member for the relevant group in consultation with the Clerk to the Authority. A report on any such appointment shall be made to the next available meeting of the full Fire Authority. For the avoidance of any doubt the appointment of the Chair of any Committee or Sub-Committee shall remain a decision for the full Fire Authority.

5 MEETINGS OF THE FULL FIRE AUTHORITY

- 5.1 The Annual Meeting of the full Fire Authority shall be held between the first day of May and the last day of June each year.
- 5.2 The Clerk shall call a special meeting of the Authority at any time on the written request of the Chair of the Authority and the reasons for the meeting shall be set out in the agenda.
- 5.3 Five or more Members of the Authority may request, in writing, the Clerk to call a special meeting of the Authority. The request should state the specific reasons for the meeting and be signed and dated by each of the Members submitting it. The meeting should whenever possible be called within 15 working days of the date of receipt of the request.
- 5.4 The Authority shall, at each Annual Meeting, fix the dates and times of ordinary meetings of the Authority and its Committees and Sub-Committees to be held in the succeeding year. Any variation, addition or deletion to the date or time of any meeting shall be approved by the Chair of that Committee/Sub-Committee.

6 ORDER OF BUSINESS

- 6.1 At meetings of the full Fire Authority, with the exception of the Annual Meeting at which the election of the Chair and Vice-Chair of the Authority shall take precedence, the order of business shall be:-
 - (i) To appoint a Chair for the meeting, if the Chair and Vice-Chair of the Authority are absent.

- (ii) Apologies for absence.
- (iii) Chair's announcements.
- (iv) Receipt of petitions.
- (v) To receive any declaration of interests from Members and officers.
- (vi) To approve as a correct record and sign the minutes of the last meeting of the Authority.
- (vii) Other business having precedence by statute.
- (viii) Business expressly required by statute to be done.
- (ix) Receipt of any communication laid before the Authority by the Chair of the Authority or Clerk.
- (x) Other business of the Chair of the Authority.
- (xi) Business remaining from the last meeting.
- (xii) Reports of the Clerk.
- (xiii) Reports of the Treasurer.
- (xiv) Reports of the Chief Fire Officer.
- (xv) Minutes of Committees and Sub-Committees.
- (xvi) Questions under Standing Order 15.
- (xvii) Consideration of motions tabled by Members.

6.2 The order of business at a meeting of the Fire Authority other than (i) – (vi) of Standing Order 6.1 may be varied, either at the Chair's discretion or, by a resolution of the Authority on a motion being proposed, seconded and voted on and carried without discussion.

7 QUORUM AT MEETINGS

- 7.1 Business must not be conducted at a full Fire Authority meeting where at the beginning of the meeting or during its proceedings there is less than one third of the Members present or those present do not include at least one Member from each of the constituent authorities.
- 7.2 Where there are insufficient Members, the Chair shall adjourn the meeting for a period of not more than 10 minutes. If the meeting is still in-quate at the expiry of

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that period, any business not already disposed of shall stand adjourned to a date and time then fixed by the Chair or to the next meeting.

- 7.3 For meetings of Committees and Sub-Committees of the Authority no business must be conducted unless at least 3 Members of the Authority are present.
- 7.4 Members attending a meeting of the Authority must sign their name on the attendance sheet provided by the Clerk.
- 7.5 Members attendance at meetings, and other bodies, shall be monitored annually by the Policy and Strategy Committee requiring Members, in appropriate cases, to explain any poor attendance record to their Group Leader. In the case of poor attendance by Group Leaders the explanation must be given to the Chair of the Authority.
- 7.6 Except where in the opinion of the Clerk a meeting is exercising a judicial or quasi-judicial function, any Member of the Authority who wishes to attend a meeting of any Committee or Sub-Committee of which he/she is not a member shall be entitled to do so. Members, with the consent of the Chair of the meeting, may be entitled to speak on any agenda item but not vote.

8 VOTING

- 8.1 With the exception of decisions about precepts, for which the procedure is shown at Standing Order 24, every matter shall be determined on a simple majority of the Members present and voting, signified by a show of hands.
- 8.2 If after a show of hands two or more Members require a division, the Clerk shall call a roll and take the vote of each Member aloud. After counting the number voting for and against, and those abstaining or declaring themselves to be neutral on the question before the Authority, Committee or Sub-Committee, the Clerk shall inform the Chair who will announce the result which shall be recorded together with the names of the Members in the minutes.
- 8.3 Where no division has taken place and immediately after a vote is taken, any Member may on request have recorded in the minutes whether they cast their vote for or against the question or whether they abstained from the voting.
- 8.4 In the case of an equality of votes upon any question, the Chair shall exercise a second or casting vote to determine the matter.

9 APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES ETC

- 9.1 A Member of a Committee or Sub-Committee who is unable to attend may appoint a substitute from within their own group to attend the meeting in their place and must notify the Clerk of the intended substitution before the start of the meeting.
- 9.2 Substitute Members, when substituting for an ordinary member of the Committee or Sub-Committee, shall have all the powers and duties of any ordinary Member of the

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Committee or Sub-Committee but shall not be able to exercise any special powers or duties exercisable by the person they are substituting for.

- 9.3 Substitute Members are eligible for travelling and subsistence allowances as if they were appointed Members of that Committee or Sub-Committee.

10 DISCLOSURE OF PROCEEDINGS OF THE AUTHORITY AND ITS COMMITTEES

- 10.1 No Member shall disclose to any person the whole or any part of the contents of any agenda, report or other document which is marked 'confidential' or 'not for publication' unless and until the document has been made available to the public or the press by or on behalf of the Authority.

- 10.2 No Member shall disclose to any person, other than a Member of the Authority, any matter arising during the proceedings of the Authority or any other matter coming to their knowledge by virtue of their office as a Member where such disclosure would prejudice the interest of the Authority or would be contrary to the law.

- 10.3 No Member shall, without the consent of the Clerk of the Authority, disclose to any person any decision or proceedings of the Authority except when a report on the matter has been circulated to the Authority or when the decision has become public knowledge.

- 10.4 Any Member found contravening Standing Orders 10.1 to 10.3 may be reported to the Standards Committee.

11 INSPECTION OF DOCUMENTS CONSIDERED BY THE AUTHORITY

- 11.1 Any Member of the full Fire Authority who is able to establish a need to know may apply to the Monitoring Officer to the Fire Authority to inspect any document which has been considered by the Authority and/or its Committees and Sub-Committees and, if copies are available, shall on request be supplied with a copy.

- 11.2 Any Member aggrieved by a refusal to allow the inspection of any document considered by the Authority and/or its Committees and Sub-Committees may require the Monitoring Officer to refer their application to the full Fire Authority, whose decision shall be final.

- 11.3 The Monitoring Officer may decline to allow inspection of any document which in their opinion is or, in the event of legal proceedings, would be protected by privilege arising from the relationship of solicitor and client.

- 11.4 The Monitoring Officer may decline to allow inspection of any document or other information relating to an alleged breach of the Code of Conduct where the Standards Committee or its Sub-Committees has agreed that it be withheld.

12 MOTIONS

- 12.1 The following motions and amendments may be moved without notice at meetings

of the full Fire Authority:

- Appointment of a Chair of the meeting at which the motion is made.
- Motions relating to the accuracy of the minutes.
- Variation in the order of business specified in the summons, subject to the requirements of standing order 6.2.
- Amendments to motions before the Authority.
- Leave to withdraw a motion.
- That the Authority proceed to the next business.
- That the question be now put.
- That the debate be now adjourned.
- That the Authority do now adjourn.
- Reference to or back to a Committee.
- Reception and adoption of reports and recommendations of Committees.
- Authorisation of the sealing of documents.
- Suspension of standing orders.
- Exclusion of the public.
- Giving any consent of the Authority required by standing orders.
- That (the Member named) be not further heard.
- Appointment of a Committee or Sub-Committee and their membership arising from a report of a Committee or of the Clerk.
- Motions arising from a report of a Committee or of the Clerk, Treasurer or the Chief Fire Officer.

12.2 With the exception of the above, a Notice of a Motion for inclusion in the agenda for the full Fire Authority must be given in writing signed in accordance with Standing Order 12.7 below and delivered to the office of the Clerk (by hand, post, fax or e mail) to arrive not later than 10 am 14 clear working days prior to the meeting of the Authority at which it is to be considered.

12.3 On receipt of the Notice the Clerk will record the date and time it is received and a

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record will be kept at the office of the Clerk, which will be open to inspection during office hours by any Member of the full Fire Authority.

- 12.4 The Motion must relate to some matter for which the Fire Authority has responsibility or which affects the Authority.
- 12.5 The Clerk shall set out in the agenda for the meeting all valid notices of motions, submitted in the order in which they are received unless the Member (s) has given notice in writing before the agenda is issued that it has been withdrawn.
- 12.6 The Clerk, the Authority's Treasurer and the Chief Fire Officer shall, where necessary, append to Notices of Motion a formal report outlining the implications of the proposal and will have the right to speak at meetings of the Authority to give advice.
- 12.7 A Motion must be signed by at least two Members and will be moved and seconded by any two of the signatories. A Motion not so moved will be treated as withdrawn.
- 12.8 No Member may be party to more than two notices of motion on the agenda at the same time.
- 12.9 Reports from a Committee shall be moved by its Chair or in the absence of the Chair by any other Member of the Committee called by the Chair of the Authority.
- 12.10 Every Motion of which Notice has not been given in the agenda, whether original or amending, shall be put in writing, signed by the mover and given to the Chair after it has been seconded and be presented to the meeting before it is further considered.
- 12.11 No Motion or amendment shall be moved to rescind any resolution of the Authority which was passed within the preceding six months or which is to the same effect as one which has been rejected within that period, except if it is recommended by a Committee or Notice of such Motion has been given by as many Members as would constitute a quorum of the Authority (Standing Order 7.1).

13 RULES OF DEBATE

- 13.1 Members shall normally remain seated when speaking and shall address the Chair.
- 13.2 An amendment to a Motion must be in writing, signed by the mover and delivered to the Chair immediately upon being seconded and must refer to the subject matter of the original motion and not have the effect of negating (cancelling) that motion.
- 13.3 No motion or amendment shall be debated until it is moved and seconded. A Member, when seconding may, if he/she then discloses his/her intention to do so, reserve his/her speech until a later period in the debate. A motion which is moved but not seconded (as could be the case with Independent Members) shall be put immediately to the vote without debate.
- 13.4 Following receipt of an amendment which is found to be in order, the Chair shall ask

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which Members wish to speak on the amendment and a note shall be taken of those Members. A further amendment may not be moved until the Authority has decided on any earlier amendment.

- 13.5 A Member moving an amendment shall not move a further amendment to the same Motion unless in moving the first such amendment that Member specifies the number and content of any further amendments that Member intends to move which shall be taken in succession immediately upon the determination of each previous amendment, or unless the Motion shall have been amended since the amendment last moved by that Member.
- 13.6 If an amendment is carried (agreed), the motion as amended takes the place of the original motion and becomes the motion to which any further amendment may be moved. The right to reply in respect of an amended motion belongs to the mover of the successful amendment, or of the last such amendment if there is more than one.
- 13.7 If an amendment is rejected, other amendments may be moved on the original Motion, but if an amendment resisted by the mover of the substantive Motion is carried, the Motion in the name of the mover of the successful amendment shall become the Motion upon which further amendments may be moved. The mover of an original Motion may move amendments upon it.
- 13.8 A Member shall not speak more than once on any motion or amendment, except on a point of order or in exercising a right of reply. The mover of an original motion shall have the right to reply at the close of a debate on the motion immediately before it is put to the vote or before a motion is put 'that the debate is now adjourned' or 'that the Authority now adjourn'. If an amendment is proposed, then:
- (a) the mover of the original motion, or of the last successful amendment, shall be entitled to speak on any amendment to the motion immediately before the reply, and
 - (b) the mover of the amendment shall have the right of reply at the close of the debate on the amendment immediately before it is put to the vote or before a motion is put ' that the debate is now adjourned' or 'that the Authority is now adjourned.'
- 13.9 A Member moving a motion may, with the consent of the meeting, without discussion, alter a motion of which he/she has given notice or, with the further consent of the seconder, alter a motion which has been moved and seconded, if in either case the alteration is one which could be made as an amendment.
- 13.10 With the consent of the seconder (if he or she is still present) and of the meeting, the mover of a motion or an amendment may withdraw it. No Member shall speak to such a motion or amendment after the mover has asked consent for its withdrawal, unless such consent has been refused.
- 13.11 A Member who has not spoken on the question before the Authority may, at the

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conclusion of a speech of another member, move without comment (provided that he/she has not previously moved to the same effect while the same question is under discussion) -

- (a) 'that the question is now put'
- (b) 'that the debate is adjourned.'
- (c) 'that the Authority now adjourn.'

on the seconding of which the Chair, if in his/her opinion the question before the meeting has been sufficiently discussed, will, subject to the right of reply, put that motion to the vote, and the motion will be carried if it is passed by two-thirds of the Members present and voting.

13.12 Whenever the Chair stands during a debate all Members shall be silent.

13.13 A Member may raise a point of order during a debate, provided that he/she does no more than call attention to the alleged breach of order:

- (a) a Member may not, upon the pretext of raising a point of order, express differences of opinion or contradict a speaker;
- (b) the point of order shall be very briefly stated to the Chair in the form of a question and identifying the relevant standing order. The point raised shall be decided by the Chair;
- (c) a Member, against whom a point of order is being raised, shall not speak until the Chair has given his/her decision.

The following will be recognised as breaches of order:

- (a) violation of any standing order;
- (b) discussion of a question not before the meeting.

13.14 The ruling of the Chair on all questions of standing orders and all matters arising in debate shall be final and shall not be open to discussion.

14 PETITIONS

14.1 At any ordinary meeting of the full Fire Authority any Member may present a petition to the Chair of the Authority on any matter affecting the inhabitants of the area and in relation to which the Authority has powers or duties, whereupon, with the consent of the Authority, such petition shall be referred without debate either to the appropriate Committee for consideration or to a future meeting of the Authority.

15 QUESTIONS

From Members of the Fire Authority

- 15.1 A Member of the Authority may, if notice in writing has been given to the Clerk not less than 3 working days before the meeting of the full Fire Authority, ask the Chair of the Authority any question on any matter in relation to which the Authority has powers or duties and which is not included in the agenda for the meeting.
- 15.2 On the day after the deadline for the receipt of any question the Clerk shall send a copy of each question to every Member of the Authority by first class post and/or email.
- 15.3 An answer to a question may take the form of -
- an oral answer;
 - reference to information contained in some publication;
 - a written answer.
- 15.4 No question shall be the subject of a speech or motion.
- 15.5 No supplementary questions shall be permitted. A response shall only be given directly to the question tabled.
- 15.6 The Chair has the right to determine if a question is to be responded to and shall therefore refuse a question if he/she thinks it necessary.
- 15.7 Any Member of the full fire Authority may at any time by writing to the Clerk put any question to the Chair of the Authority and within 15 working days shall, if practicable, be sent a reply which will be circulated to every Member of the Fire Authority with the papers for the next convenient meeting.

From a recognised Trade Union

- 15.8 If an Officer of a recognised Trade Union wishes to ask a question at a meeting of the full Fire Authority or of any Committee or Sub-Committee in relation to published papers to be discussed at that meeting they shall give notice in writing to the Clerk at least 3 working days before the meeting at which the question is to be asked.
- 15.9 The questions shall be circulated by the Clerk to Members of the meeting at, or before, the meeting at which they are to be asked.
- 15.10 Every question shall be tabled without discussion and read out prior to the agenda item it refers to. The Chair of the meeting shall determine if the question shall be responded to and the manner in which it will be dealt with.
- 15.11 An answer to a question may be given by the person to whom it is addressed or by

a person on their behalf and may take the form of:

- an oral answer;
- reference to information contained in some publication;
- a written answer.

15.12 No supplementary questions shall be permitted. A response shall only be given directly to the question tabled.

15.13 The Chair has the right to determine if a question is to be responded to and shall therefore refuse a question if he/she thinks it necessary.

15.14 A time limit of 4 minutes shall be allowed if the question is asked verbally.

From the Public

15.15 A member of the public from within the area covered by the Authority may ask the Chair of the Authority a question about any issue which falls within the powers and duties of the Authority.

15.16 If appropriate the Chair of the Authority may defer a question to the Chair of a Committee or Sub-Committee for them to answer.

15.17 Questions can only be asked at full Authority meetings which are open to the press and public.

15.18 The question shall be submitted to the Clerk of the Authority in writing and be given to the Clerk at his/her office at least 5 clear working days before the meeting takes place. The person asking the question must sign and date it and attend the meeting to ask the question.

15.19 On the day after the deadline for the receipt of questions from the public the Clerk shall send a copy of each question to every Member of the Authority by first class post and/or email.

15.20 An answer to a question may take the form of an oral answer or a written answer at the discretion of the Chair of the meeting. In the event that an oral response is given this will be confirmed in writing within 10 working days of the meeting.

15.21 No question shall be the subject of a speech.

15.22 One supplementary question shall be permitted but it must be related directly to the initial question. The provisions of Section 15.20 relating to answers to questions shall apply equally to supplementary questions.

15.23 The Chair has the right to determine if a question is to be responded to and shall therefore refuse a question if he/she thinks it necessary.

- 15.24 There will be no discussion on any matters raised by the question but the Authority may agree that an appropriate item be placed on the agenda of a future meeting of the full Fire Authority or of any Committee of the Authority.
- 15.25 Public question time at any full Authority meeting shall not exceed 15 minutes unless, at the Chair's discretion or by resolution of the Authority, it is agreed to extend the period.

16 MINUTES OF COMMITTEES

- 16.1 The Chair shall put the question that the minutes of the preceding meeting be approved as a correct record.
- 16.2 No discussion shall take place on the minutes, except on their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.
- 16.3 The minutes of every meeting of the Authority, Committee and Sub-Committee shall be circulated to every Member of the Authority with the papers for the next convenient meeting. Any Member may comment upon or ask questions about each set of minutes and the Chair of the Committee or nominee shall reply provided that no Motion or amendment is moved except to correct any error or omission.
- 16.4 When the next meeting of a Committee is a special meeting, the next ordinary meeting shall be asked to confirm the minutes of the last ordinary meeting.

17 DISORDERLY CONDUCT

- 17.1 If any Member, in the opinion of the Chair, misbehaves at a meeting by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by obstructing the business of the meeting, the Chair may move "that (the Member named) be not further heard" and the Motion if seconded shall be put and determined without discussion.
- 17.2 If any Member named continues the misconduct after a Motion has been carried, the Chair shall either request the Member to leave the meeting or may adjourn the meeting of the Authority for such period considered expedient and the Chair's decision to adjourn shall not be open to question or discussion.
- 17.3 In the event of a general disturbance which, in the opinion of the Chair, renders the due and orderly despatch of business impossible, the Chair, in addition to any other power vested in the Chair, may immediately adjourn the meeting for such period as they consider expedient.
- 17.4 If a member of the public interrupts the proceedings of any meeting, the Chair shall warn the person concerned. If the interruption continues, the Chair shall order their removal from the meeting room. In the event of a general disturbance in any part of

the meeting room open to the public, the Chair shall order that part of the meeting room cleared.

- 17.5 Placards, banners, advertising materials or like items are not permitted in rooms where meetings of the Authority and its Committees or Sub-Committees are being held.
- 17.6 The use of cameras, tape recorders or other digital recording devices at a meeting of the full Fire Authority or its Committees and Sub-Committees is allowed at all meetings open to the public.

18 LIMITATION OF DISCUSSION

- 18.1 The Chair may, at the start of a meeting inform Members that, in the best interests of the Authority generally, or Members on an individual basis, it shall be his/her intention to bring the meeting to a close at a time which shall have been determined previously, unless it appears that the meeting shall finish shortly after that time. Any remaining business shall then stand over as uncompleted business until the next meeting.
- 18.2 A Member who has not spoken on the matter then before the meeting may, at the conclusion of the speech of another Member move "that the debate be now adjourned", briefly stating that, if the Chair is of the opinion that the matter before the meeting has been sufficiently discussed the Chair shall, after allowing one Member briefly to speak in opposition, put the proposition without further debate and if it is carried out by a majority of the Members present and voting, the Authority shall proceed to the next business. However, if the Chair is of the opinion that the matter has not been sufficiently discussed, he/she may refuse to accept the Motion.

19 URGENT BUSINESS BETWEEN MEETINGS

- 19.1 Where an item of urgent business cannot wait until the next meeting of the Authority, the business may be determined by the Chief Fire Officer, Clerk and Treasurer, after consultation with the Chair and Vice-Chair of the Authority.
- 19.2 A report on the action taken be made to the next meeting of the Authority.

20 PRESS AND PUBLIC ACCESS

- 20.1 All meetings of the Fire Authority and its Committees and Sub-Committees shall be open to the press and public. However the press and public may be excluded by resolution from a part of the meeting when items of a confidential nature or containing exempt information as defined in sections 100A(3)(4) and (5), section 100 and schedule 12A to the Local Government Act (LGA) 1972 are being discussed. These requirements were amended by the Local Government (Access to Information) Order 2006. Appendix 1 attached to the Order lists the criteria for removal of the press and public.
- 20.2 For the avoidance of doubt, Members who are not members of a particular

Committee/Sub-Committee do not have an automatic right to remain in a meeting of a Committee/Sub-Committee once a resolution has been passed under section 100(A)(4) of the Local Government Act 1972 excluding the press and public from the meeting. Such a Member would only be entitled to remain in the meeting if they had been able to establish a 'need to know' to the Chair of the relevant Committee/Sub-Committee.

21 SUSPENSION OF STANDING ORDERS

- 21.1 So far as the law allows, any Standing Order may be suspended at any meeting of the Authority, providing a simple majority of the Members of the Authority present and voting, so decide.

22 DECLARATIONS OF INTEREST

- 22.1 Where any Member has given a general notice of a pecuniary interest of his/hers or of his/her spouse, and is thereby relieved of the statutory duty to declare that interest at a meeting at which a contract or other matter affecting that interest is to be considered, he/she shall nevertheless orally remind the meeting of that interest and shall be recorded in the Minutes of the meeting. (Declarations of interest relate to those matters associated with a Members' role within the Fire Authority).
- 22.2 Where any Member has declared a pecuniary interest in a contract, grant, proposed contract or other matter, whether by giving a general notice or by making an oral declaration at a meeting, he/she shall withdraw from the room in which the meeting is being held while the matter is under consideration unless:
- (a) the disability to discuss, or vote upon any matter arising from, the contract or other has been removed by the Secretary of State under Section 97 of the 1972 Act,
 - or
 - (b) the contract, grant, proposed contract or other matter is under consideration by the meeting as part of the report of minutes of a Committee or Sub-Committee and is in either case not itself the subject of debate.
- 22.3 If the Member has remained within easy reach, that Member shall be recalled by an appropriate officer before any further business is begun.
- 22.4 Any person, including an officer of the Authority, who is appointed to do anything in connection with the Authority, Committee or Sub-Committee which enables him/her to speak at meetings shall make the same disclosures of pecuniary interest, and shall withdraw from the room in which the meeting is being held on the same occasions, as he/she would have to do if he/she were a member of the Authority, Committee or Sub-Committee.
- 22.5 The Chief Fire Officer shall record particulars of any notice given by an officer of the Authority under section 117 of the Local Government Act 1972, of a pecuniary

interest in a contract and the book shall be open during office hours to the inspection of any Member of the Authority.

23 TENURE OF OFFICE

- 23.1 A Member of the Authority who ceases to be a Member of the council which appointed him/her shall cease to be a Member of the Authority. This includes the Chair and Vice-Chair of the Authority.

24 PRECEPT APPROVAL

- 24.1 No decision may be made to give notice to Nottingham City Council or the 7 Nottinghamshire Borough and District Councils of the amount of the contribution to be paid by those Councils, unless the Members approving it constitute at least half of the total membership at the time of the decision.
- 24.2 Every such decision in regard to giving notice or the making of the necessary calculations shall be determined by a show of hands, following which the Clerk shall call the Roll and take the vote of each Member aloud and, after counting the number declaring themselves for or against, and those abstaining or declaring themselves to be neutral on the question, shall inform the Chair who shall announce the result which will be recorded together with the names of the Members in the minutes.

25 THE COMMON SEAL

- 25.1 The Common Seal of the Authority shall be kept in a safe place in the custody of the Clerk of the Authority.
- 25.2 The Common Seal of the Authority shall not be affixed to any document unless the sealing has been authorised by a resolution of the full Fire Authority, a Committee or Sub-Committee or the Chief Fire Officer (in pursuance of his/her delegated duties), but a resolution of the Authority authorising the acceptance of any tender, the purchase, sale, letting or taking of any property, the presentation of any petition, memorial or address, the making of any contract or the doing of any other thing, shall be a sufficient authority for sealing any documents necessary to give effect to the resolution.
- 25.3 The Seal shall be attested in writing by the Clerk to the Authority or any other person authorised to act in that behalf and an entry of every sealing of a document shall be made and consecutively numbered and a record kept for the purpose and shall be signed by a person who has attested the Seal.

26 AUTHENTICATION OF DOCUMENTS FOR LEGAL PROCEEDINGS

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

27 INSPECTIONS OF LAND, PREMISES, ETC

27.1 Unless specifically authorised to do so by the Authority or a Committee or a Sub-Committee, a Member of the Authority shall not claim by virtue of his/her membership of the Authority any right to inspect or to enter on any lands or premises which the Authority has the power or duty to inspect or enter.

28 STANDING ORDERS RELATING TO THE APPOINTMENT OF THE CHIEF FIRE OFFICER, DEPUTY CHIEF FIRE OFFICER, ASSISTANT CHIEF FIRE OFFICERS AND THE STRATEGIC DIRECTOR OF FINANCE

28.1 When the Authority proposes to appoint a Chief Fire Officer, a Deputy Chief Fire Officer, Assistant Chief Fire Officers or Strategic Director of Finance -

- (a) a statement shall be drawn up specifying the duties of the posts and any qualifications or qualities to be sought in the person to be appointed.
- (b) arrangements shall be made for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it, and
- (c) arrangements shall be made for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

28.2 Where a post has been advertised, all qualified applications for the post shall be interviewed or a shortlist of such qualified applicants shall be selected and those included on the shortlist shall be interviewed.

28.3 Where no qualified person has applied, further arrangements shall be made for advertisement.

28.4 Every appointment of the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officers or Strategic Director of Finance shall be made by the Appointments Committee and be subject to confirmation by the full Fire Authority.

28.5 Canvassing of Members of the Authority directly or indirectly for any appointment to the Authority shall disqualify the candidate concerned for that appointment. This shall be included in the detailed particulars for each post issued with the application form in response to the advertisement.

28.6 A candidate for any such appointment to the Authority who knows that he/she is related to any Member or Officer employed by, or working for the Authority or is a close friend of any such Member or Officer, shall, when making the application, disclose that relationship. A candidate who deliberately fails to disclose such a relationship may be disqualified from the appointment and, if appointed, shall be liable to dismissal. Every Member and Officer of the Authority shall disclose any relationship known to him/her to exist between him/herself and any person who he/she knows is a candidate for an appointment under the Authority.

**NOTTINGHAMSHIRE AND CITY OF NOTTINGHAM
FIRE & RESCUE AUTHORITY**

STANDING ORDERS

1. DEFINITIONS

In these Standing Orders, unless the context otherwise demands, the following terms shall have the meaning assigned to them:-

“the Authority”	Nottinghamshire & City of Nottingham Fire & Rescue Authority.
“Member”	(a) in relation to the Authority, a properly elected Member of, (i) Nottinghamshire County Council (ii) Nottingham City Council appointed as a Member of the Authority. (b) in relation to any Committee or Sub-Committee, a person appointed as a Member of the Committee or Sub-Committee.
“meeting”	a meeting of the Authority, a Committee or a Sub-Committee as the case may be.
“Committee”	a Committee or a Sub-Committee of the Authority.
“Sub-Committee”	a Sub-Committee of a Committee.
“Chief Fire Officer”	a Chief Fire Officer of a Fire & Rescue Service maintained under the Fire & Rescue Services Act 2004 and appointed under regulations made under Section 18(1)(a) of the Act as defined in Section 2 of the Local Government and Housing Act 1989.
“Group”	a political group as defined in the Local Government (Committees, etc) Regulations 1989.
“the Mover”	the Member moving a Motion or Amendment.
“the Seconder”	the Member seconding a Motion or Amendment.

“Chair”	the Chair of Nottinghamshire and City of Nottingham Fire & Rescue Authority.
“Chair”	the person presiding at a meeting of the Authority or a Committee or one of its subordinate bodies as the case may be.
“the Roll”	the list of persons entitled to be present and to vote.

2. GENERAL

2.1* In the conduct of meetings of the Authority and its subordinate bodies these Standing Orders

- (a) shall be regarded primarily as a safeguard for the orderly conduct of business without unreasonable obstruction and not principally as a restriction on the right of Members to speak freely upon the business in front of them.
- (b) shall not restrict the right of persons presiding at meetings to indicate the manner (eg “Chair of the Authority ” or “Chair”) in which they prefer to be addressed.

1.2 In addition to Standing Orders 18.1 to 18.2, those Standing Orders marked with an asterisk shall also apply to meetings of Committees or Sub-Committees.

2. MEETINGS OF THE AUTHORITY

1.1 The Annual Meeting of the Authority shall be held between the first day of May and last day of June each year.

1.2 The Clerk shall call a special meeting of the Authority at the request of the Chair of the Authority or of any five Members.

1.3 The Authority shall, at each Annual Meeting, determine the dates and times of ordinary meetings of the Authority and its Committees and Sub-Committees to be held in the succeeding year.

3.4* At least five clear days notice shall be given of all meetings of the Authority and its Committees and Sub-Committees.

1.4 No business shall be transacted at a meeting of a Committee or Sub-Committee unless at least three Members of the whole numbers of the Authority, including at least one representative of each constituent Authority are present. If it is ascertained by the Chair or the Clerk that any meeting is in-quorate, the meeting shall be adjourned for a period of not more than five minutes. If the meeting is still in-quorate at the expiry of that period, any business not already disposed of shall stand adjourned to a time then fixed by the Chair or to the next meeting.

2. ORDER OF BUSINESS

2.1 At meetings of the Authority, with the exception of the Annual Meeting at which the election of the Chair of the Authority shall take precedence, the order of business shall be:-

- (i) The choice of a person to preside if the Chair of the Authority is absent.
- (ii) Other business having precedence by statute.
- (iii) Confirmation of the minutes of the last meeting of the Authority.
- (iv) Apologies for absence.
- (v) Declaration of interests.
- (vi) Business expressly required by statute to be done.
- (vii) Receipt of any communication laid before the Authority by the Chair of the Authority or Clerk.
- (viii) Other business of the Chair of the Authority , or Chair.
- (ix) Business remaining from last meeting.
- (x) Receipt of petitions.
- (xi) Questions under Standing Order 8.1.
- (xii) Minutes of Committees and Sub-Committees.
- (xiii) Reports of the Clerk.
- (xiv) Reports of the Treasurer.
- (xv) Reports of the Chief Fire Officer.
- (xvi) Consideration of motions tabled by Members.

2.2 Business under items (i) – (v) of Standing Order 4.1 shall not be varied but other items may be varied either at the Chair of the Authority's or Chair's 's discretion or by a Motion duly moved and seconded which shall be put without discussion.

4.3* Where, in relation to any meeting the next such meeting is a meeting called under Standing Order 3.2 the next ordinary meeting shall be treated as a suitable meeting for the purpose of confirming the Minutes of the last ordinary meeting.

3. MOTIONS

APPENDIX B

- 3.1 Notice of a Motion for inclusion in the agenda for the Authority shall be given in writing signed in accordance with Standing Order 5.3 below and delivered to the office of the Clerk not later than 10 am on the fourteenth working day prior to the meeting of the Authority at which it is to be considered and shall be entered in a book to be kept at the office of the Clerk and such book shall be open to inspection during office hours by an Member of the Authority.
- 3.2 The Clerk, the Authority's Treasurer and the Chief Fire Officer as necessary, shall append to Notices of Motion where appropriate a formal report outlining the implications of the proposal, with the Clerk, the Authority's Treasurer and the Chief Fire Officer also having the right to speak at meetings of the Authority to give advice.
- 3.3 A Motion shall be signed by at least two Members and shall be moved and seconded by any two of the signatories. A Motion not so moved shall be treated as withdrawn.
- 3.4 No Member may be party to more than two notices of motion on the agenda at the same time.
- 5.5* A Member moving a Motion may, with the consent of the meeting signified without discussion
- (a) alter a Motion of which she/he has given Notice,
 - or
 - (b) with the further consent of the seconder, alter a Motion which has been moved and seconded.
- If (in either case) the alteration is one which could be made as an amendment thereto.
- 5.6* With the consent of the seconder (if she/he is still present) and of the meeting, signified without discussions, the mover of a Motion or an amendment after the mover has consent for its withdrawal
- 5.7 Reports from a Committee shall be moved by its Chair or in the absence of the Chair by any other Member of the Committee called by the Chair of the Authority.
- 5.8 Except as next provided, at a meeting of the Authority every Motion of which Notice has not been given in the summons, whether original or amending, shall be put in writing signed by the mover and given to the Chair after it has been seconded and thereupon presented to the meeting before further consideration of it.
- 5.9 Motions relating only to the following matters may be moved and seconded orally and without Notice:-
- (a) Appointment of a Chair of the same meeting (under Standing Order 4.1);
 - (b) Reference to or back to a Committee;
 - (c) Reception and adoption of reports and recommendations of Committees (under Standing Order 4.1);
 - (d) Leave to withdraw a Motion (under Standing Order 5.5);
 - (e) That the question be now put (under Standing Order 11.2);
 - (f) That the debate be now adjourned (under Standing Order 11.2);
 - (g) That the Authority do now adjourn (under Standing Order 11.2);
 - (h) Variation of the Order of Business (under Standing Order 4.2);

- (i) That the Authority do now proceed to the next business;
- (j) Authorisation of the sealing of documents;
- (k) Suspension of Standing Orders (under Standing Order 13.1);
- (l) Exclusion of the public;
- (m) Giving any consent of the Authority required by Standing Orders;
- (n) That (the Member named) be not further heard (under Standing Order 11.1);

5.10* Motions relating to the following may, subject to Standing Order 5.9 above, be moved and seconded without Notice:-

- (a) Amendments to Motions before the Authority;
- (b) Appointment of a Committee or Sub-Committee or Members thereof so far as arising from an item included in the agenda;
- (c) Motions arising from a report of a Committee or of the Clerk, Treasurer or the Chief Fire Officer then before the Authority;
- (d) Accuracy of the Minutes of the last meeting.

5.11* At a meeting of the Authority, no Motion or amendment shall be moved to rescind any resolution of the Authority which was passed within the preceding six months or which is to the same effect as one which has been rejected within that period, provided that such a Motion may be moved if:-

- (a) it is recommended by a Committee or Sub-Committee;
or
- (b) Notice of such Motion has been given by as many Members as would constitute a quorum of the Authority.

6. AMENDMENTS

6.1* An amendment shall be relevant to the Motion and shall be:-

- (a) to refer a subject of debate to a Committee for consideration or reconsideration;
or
- (b) to leave out words;
or
- (c) to leave out words and insert or add others;
or
- (d) to insert or add words;

but such omissions, insertion or addition of words shall not have the effect that if carried the amendment would have the same effect as voting against the Motion.

6.2* An amendment shall not be moved until any other amendment previously moved shall have been disposed of.

6.3* A Member moving an amendment shall not move a further amendment to the same Motion unless in moving the first such amendment that Member specifies the number and content of any further amendments that Member intends to move which shall be taken in succession immediately upon the determination of each previous amendment, or unless the Motion shall have been amended since the amendment last moved by that Member.

- 6.4* If an amendment be rejected other amendments may be moved on the original Motion but if an amendment resisted by the mover of the substantive Motion be carried the Motion in the name of the mover of the successful amendment and shall become the Motion upon which further amendments may be moved. The mover of an original Motion may move amendments upon it.
- 6.5* If a proposed amendment be accepted by the mover of a substantive Motion, the Motion as amended shall take the place of the original Motion and shall in the name of the mover of such original Motion. It shall thereafter become the Motion upon which further amendments may be moved.

7. PETITIONS

- 7.1 At any ordinary meeting of the Authority any Member may present a petition to the Chair of the Authority on any matter affecting the inhabitants of the Fire & Rescue Authority's area and in relation to which the Authority has powers or duties, whereupon with the consent of the Authority such petition shall be referred without debate either to the appropriate Committee for consideration or to a future meeting of the Authority.

8. QUESTIONS

- 8.1(a) At any meeting of the Authority a Member after having given notice of the text thereof in writing to the Clerk not later than three working days before the meeting may ask the Chair of the Authority or nominee one or more questions on the matters within the purview of the Authority which are not included in the agenda for the meeting.
- 8.1(b) On the day after the deadline for the receipt of any question the Clerk shall send a copy of each question to every Member of the Authority by first class post.
- 8.1(c) No question shall be the subject of a speech or motion but a supplementary question by the Member asking the original question may be asked with the consent of the Chair provided it introduces no new matter.
- 8.2 Any Member may at any time by writing to the Clerk put any question to the Chair of the Authority and within 15 working days thereof shall be sent such reply as the Chair or nominee, being another Member or the Clerk, the Treasurer or the Chief Fire Officer, shall think fit and every such question and the answer given shall be circulated to every Member of the Authority with the papers for the next convenient meeting thereof.
- 8.3(a) If an Officer of a recognised Trade Union or another primary stakeholder (as defined in 8.4) wishes to ask a question at a meeting of the Authority in relation to published papers to be discussed at its meeting they shall give notice in writing to the proper office at least three working days before the meeting at which the question is to be asked.
- 8.3(b) Questions shall be circulated by the Clerk, to Members of the Authority at, or before, the meeting at which they are to be asked.

8.3(c) Every question shall be tabled without discussion and read out prior to the agenda item it refers to. The Chair of the Authority will determine if the question will be responded to and the manner in which it will be dealt with.

8.3(d) An answer to a question may be given by the person to whom it is addressed or by a person on their behalf and may take the form of,

- i. an oral answer;
- ii. reference to information contained in some publication;
- iii. a written answer.

8.3(e) No supplementary questions will be permitted. Response will only given directly to the question tabled.

8.3(f) The Chair has the right to determine if a question is to be responded to and will therefore refuse a question if he thinks it necessary.

8.3(g) A time limit of FOUR minutes will be allowed if the question is asked verbally.

9. MINUTES OF COMMITTEES

9.1 The minutes of every meeting of the Authority, Committee and Sub-Committee of the Authority shall be circulated to every Member of the Authority together with the papers for the next convenient meeting and at the time appointed under Standing Order 4.1 any Member may comment upon or ask questions about each set of minutes in turn and the Chair of the Committee or nominee shall give such reply as seems appropriate provided that no Motion or amendment whatsoever may be moved thereon except in order to collect any error or omission

10. RULES OF DEBATE

10.1* Members shall normally remain seated when speaking and shall address the Chair.

10.2* If two or more Members wish to speak, the Chairman shall call one of them provided that subject to any resolution to terminate a debate and to the provisions of Standing Order 10.3 any Member who wishes to speak shall ordinarily be given an opportunity to do so.

10.3 (a) A Member who has spoken on any matter then before the meeting shall not speak again whilst it is the subject of debate, except:

- (i) to speak once on an amendment moved by another Member;
- (ii) if the Motion has been amended since the Member last spoke, to move a further amendment;
- (iii) where the Member's first speech was on an amendment moved by another Member, to speak on the main issue, whether or not the amendment on which the Member spoke was carried;
- (iv) on a point of order;
- (v) by way of explanation.

(b) Provided that:-

- (i) a Member may formally second a Motion or amendment reserving the right to speak later in the debate;

- (ii) if an amendment is proposed, then (1) the mover of the original motion shall be entitled to speak on any amendment to such motion immediately before the reply, and (2) the mover of the amendment shall have the right of reply at the close of the debate upon such amendment immediately before such amendment is put to the vote;
- (iii) if an amendment is moved the mover of the original Motion shall also have the right of reply at the close of the debate on the amendment if that Member has not otherwise spoken on the amendment.

10.4* Where it appears to the Chair to be for the convenience of the meeting the Chair with the consent of the Members concerned may decide and announce in advance an intention to call named Members to speak immediately after any Motion is seconded or next before any debate upon it is summed up.

10.5* A Member who speaks shall speak strictly to the subject under discussion or to a question of order.

10.6* With the consent signified orally of a Member who has the floor, another Member may interpose a brief comment or question designed to clarify or advance debate provided that the Chair shall not allow such exchanges to take place with such frequency that debate gives way to cross talk.

10.7* A Member raising a point of order must begin by stating the Standing Order or other procedural matter to which the point refers and shall thereafter state the point of order very briefly to the Chair on the understanding that the point concerns solely the proper conduct of the meeting .

10.8* No point of order may be raised until a previously raised point of order has been disposed of.

10.9* The ruling of the Chair upon a point of order or on the admissibility of a personal explanation shall not be open to discussion provided that before the Chair shall rule upon any point of order she/he shall, if asked, first give an opportunity to a Member to make a brief representation thereon.

11. DISORDERLY CONDUCT

11.1* If at any meeting any Member in the opinion of the Chair, notified to the meeting , misbehaves by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by obstructing the business of the meeting , the Chair may move "that (the Member named) be not further heard" and the Motion if seconded shall be put and determined without discussion.

11.2* If any Member named continues the misconduct after a Motion under Standing Order 11.1 has been carried the Chair;

(a) shall request the Member to leave the meeting,
or

(b) may adjourn the meeting of the Authority for such period considered expedient and the Chair's decision to adjourn shall not be open to question or discussion.

- 11.3* In the event of a general disturbance which in the opinion of the Chair renders the due and orderly despatch of business impossible, the Chair, in addition to any other power vested in the Chair, may immediately adjourn the meeting of the Authority for such period as s/he may consider expedient.
- 11.4* If Member(s) of the public interrupt(s) the proceedings of any meeting the Chair shall warn the person(s) concerned. If the interruption continues, the Chair shall order their removal from the meeting room. In the event of a general disturbance in any part of the meeting room open to the public, the Chair shall order that part of the meeting room cleared.
- 11.5* (a) Placards, banners, advertising materials or like items are not permitted in rooms where meetings of the Authority and its Committees or Sub-Committees are being held.
- (b) Other than for the tape recording of answers to questions where necessary, which shall be carried out only by the Clerk's staff, the use of cameras or tape recorders is allowed only with the consent of the Chair, such consent being notified at the start of the meeting and being subject to a decision of the meeting not to allow their use.

12. LIMITATION OF DISCUSSION

- 12.1 The Chair may, at the commencement of a meeting of the Authority inform Members present that, in the best interests of the Authority generally, or Members on an individual basis, it will be his/her intention to bring the meeting to a close at a time which will have been determined previously, unless it appears that the meeting will finish shortly after that time. Any remaining business shall then stand over as uncompleted business until the next meeting.
- 12.2* A Member who has not spoken on the matter then before the meeting may, at the conclusion of the speech of another Member move "that the debate be now adjourned", briefly stating that, if the Chair is of the opinion that the matter before the meeting has been sufficiently discussed the Chair shall, after allowing one Member briefly to speak in opposition, put the proposition without further debate and if it is carried out by a majority of the Members present and voting the Authority shall proceed to the next business. However, if the Chair is of the opinion that the matter has not been sufficiently discussed, s/he may refuse to accept the Motion.

13. VOTING

- 13.1* With the exception of decisions about the precepts, for which the procedure shown at Standing Orders 17 shall apply, every matter shall be determined on a simple majority of the Members present and voting, signified by a show of hands, provided that if after a shown of hands two or more Members require a Division, the Clerk shall call the Roll and take the vote of each Member aloud. After counting the number voting for and against, and those abstaining or declaring themselves to be neutral on the question before the Authority the Clerk shall inform the Chair who shall announce the result which shall be recorded together with the names of the Members in the Minutes.
- 13.2* Where no Division has taken place and immediately after a vote is taken any voting Member so requires, there shall be recorded in the minutes of the proceedings of the

meeting whether that person cast his or her vote for or against the question or whether s/he abstained from voting.

- 13.3* In the case of an equality of votes upon any question the Chair shall exercise a second or casting vote to determine the matter.

14. SUSPENSION OF STANDING ORDERS

- 14.1 So far as the law allows any Standing Order may be suspended at any meeting of the Authority, providing a simple majority of the Members of the Authority present and voting, so decide.

15. DECLARATIONS OF INTEREST

- 15.1* Where any Member has given a general notice of a pecuniary interest of his/hers or of his/her spouse, and is thereby relieved of the statutory duty to declare that interest at a meeting at which a contract or other matter affecting that interest is to be considered, s/he shall nevertheless orally remind the meeting of that interest. Any such reminder shall be recorded in the Minutes of the meeting. (Declarations of interest relate to those matters associated with a Members' role within the Fire Authority).

- 15.2* Where any Member has declared a pecuniary interest in a contract, grant, proposed contract or other matter, whether by giving a general notice or by making an oral declaration at a meeting, s/he shall withdraw from the room in which the meeting is being held while the matter is under consideration unless;

(a) the disability to discuss, or vote upon any matter arising from, the contract or other has been removed by the Secretary of State under Section 97 of the 1972 Act,

or

(b) the contract, grant, proposed contract or other matter is under consideration by the meeting as part of the report of Minutes of a Committee or Sub-Committee (in the case of the Authority or of a Sub-Committee (in the case of a meeting of a Committee)), and is in either case not itself the subject of debate.

- 15.3* If the Member shall have elected to remain within easy reach, that Member shall be recalled by an appropriate officer before any further business is begun.

- 15.4* Any person, including an officer of the Authority, who is appointed to do anything in connection with the Authority, Committee or Sub-Committee which enables him/her to speak at meetings thereof, shall make the same disclosures of pecuniary interest, and shall withdraw from the room in which the meeting is being held on the same occasions, as s/he would have to do if s/he were a member of the Authority, Committee or Sub-Committee.

- 15.5 The Clerk of the Combined Fire & Rescue Authority shall record in a book to be kept for the purpose, particulars of any notice given by an officer of the Authority under section 117 of the Local Government Act 1972, of a pecuniary interest in a contract and the book shall be open during office hours to the inspection of any Member of the Authority.

16. TENURE OF OFFICE

- 16.1 A Member of the Authority who ceases to be a Member of the council which appointed him/her shall cease to be a Member of the Authority.
- 16.2 A person shall be disqualified from being a Member of the Authority if she/he holds any paid office of employment (other than the office of Chairman or Vice Chairman) appointments to which are or may be made or confirmed by the Authority by any Committee or Sub-committee of the Authority, by a joint committee or board on which the Authority are represented or by any of the constituent authorities.
- 16.3* If the Chairman of the Authority ceases to be a Member, she/he shall also cease to be Chairman.

17. FIRE & RESCUE AUTHORITY

- 17.1 No decision may be made to give notice to each constituent council of the amount of the contribution to be paid by that council, unless the Members approving it constitute at least half of the total membership at the time of the decision.
- 17.2 Every such decision in regard to giving notice or the making of the necessary calculations shall be determined by a show of hands, following which the Clerk shall call the Roll and take the vote of each Member aloud and after counting the number declaring themselves for or against, and those abstaining or declaring themselves to be neutral on the question shall inform the Chair who shall announce the result which shall recorded together with the names of the Members in the minutes.

18. MEETINGS OF COMMITTEES AND SUB-COMMITTEES

- 18.1 Except where in the opinion of the Clerk a meeting is exercising a judicial or quasi-judicial function, any Member of the Authority who wishes to attend a meeting of any Committee or Sub-Committee of which she/he is not a Member shall be entitled to do so and with the consent of the meeting shall be entitled to speak on any matter on the agenda but not to vote.
- 18.2 A Member who attends a meeting under Standing Order 18.1 shall be entitled to remain in the meeting whilst a resolution excluding the public is in force.

19. THE COMMON SEAL

- 19.1 The Common Seal of the Authority shall be kept in a safe place in the custody of the Clerk of the Authority.
- 19.2 The Common Seal of the Authority shall not be affixed to any document unless the sealing has been authorised by a resolution of the Authority, a Committee or Sub-Committee or the Chief Fire Officer (in pursuance of his/her delegated duties) but a resolution of the Authority authorising the acceptance of any tender, the purchase, sale, letting or taking of any property, the presentation of any petition, memorial or address, the making of any contract or the doing of any other thing, shall be a sufficient authority for sealing any documents necessary to give effect to the resolution.
- 19.3 The Seal shall be attested in writing by the Clerk to the Authority or any other person authorised to act in that behalf and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be signed by a person who has attested the Seal.

20. AUTHENTICATION OF DOCUMENTS FOR LEGAL PROCEEDINGS

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

21. INSPECTIONS OF LAND, PREMISES, ETC

21.1 Unless specifically authorised to do so by the Authority or a Committee or a Sub-Committee, a Member of the Authority shall not claim by virtue of his/her membership of the Authority any right to inspect or to enter on any lands or premises which the Authority have the power or duty to inspect or enter.

22. STANDING ORDERS RELATING TO THE CHIEF FIRE OFFICER, DEPUTY CHIEF FIRE OFFICER & ASSISTANT CHIEF FIRE OFFICERS

22.1 When the Fire & Rescue Authority proposes to appoint a Chief Fire Officer, a Deputy Chief Fire Officer, Assistant Chief Fire Officers, Head of Human Resources or Head of Finance & Resources

(a) a statement shall be drawn up specifying:-

- (i) the duties of the Chief/Deputy Fire Officer/Assistant Chief Fire Officer, and
- (ii) any qualifications or qualities to be sought in the person to be appointed.

(b) arrangements shall be made for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it, and

(c) arrangements shall be made for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

22.2 (1) Where a post has been advertised as provided in Standing Order 22.1(b):-

- (a) all qualified applications for the post shall be interviewed or
- (b) shortlist of such qualified applicants shall be selected and those included on the shortlist shall be interviewed.

(2) Where no qualified person has applied, further arrangements shall be made for advertisement in accordance with Standing Order 22.1(b).

22.3 Every appointment of the Chief Fire Officer, Deputy Chief Fire Officer, Assistant Chief Fire Officers, Head of HR, or Head of F & R shall be made by the Appointments Committee and be subject to confirmation by the Fire Authority..