

STANDING ORDERS

INTRODUCTION

1. This edition of Standing Orders, as revised, was adopted by the County Council at its meeting held on 28 April 2009 and is effective from 7 June 2009.
2. Standing Orders do not attempt to duplicate or restate the provisions of the Local Government Act 1972 (as amended) relating to local authority procedures.
3. Application of Standing Orders:

Part 1 of Standing Order applies to meetings of the County Council.
Parts 2, 3 and 4 of Standing Orders apply to the Cabinet.
Parts 2 and 3 of Standing Orders apply to select committees.
Parts 2, 3 and 5 of Standing Orders apply to other Council committees as appropriate.

DEFINITIONS

“Constitution” shall be taken to mean the constitution including standing orders and other rules and protocols approved by the Council as such from time to time.

“Council” shall be taken to mean the Surrey County Council.

“Chairman” shall be taken to mean the Chairman of the Council or the presiding Chairman in his/her absence.

“Leader of the Council” shall be taken to mean the person appointed as such by the Council for a term of office of four years from the first annual meeting of the Council following the County Council election, in accordance with the Local Government Act 2000 and Article 5.

“Deputy Leader of the Council” shall be taken to mean the person appointed as such by the Leader for such term of office as he/she shall decide.

“Cabinet” shall be taken to mean the Cabinet appointed by the Leader in accordance with the Local Government Act 2000.

“Committee” shall be taken to mean a committee of the Council.

“Cabinet Member” shall be taken to mean an elected Member appointed to the Cabinet by the Leader.

“Portfolio” shall be taken to mean a function or collection of functions of the Council allocated by the Leader to each member of the Cabinet.

“Select Committee” shall be taken to mean any of the select committees appointed by the Council under Section 21 of the Local Government Act 2000.

“Local Committee” shall be taken to mean any of the 11 local committees appointed by the Council for each district/borough area of the County.

“Member” shall be taken to mean a Member of the Council.

“Member Champion” shall be taken to mean a Member with cross service responsibility for championing an agreed interest or issue within the Council and the community.

All references to “Member” in Parts 2 and 3 of these Standing Orders shall also apply, where appropriate, to appointed Borough/District Council Members of local committees.

PART 1 OF STANDING ORDERS MEETINGS AND PROCEDURE

MEETINGS

- 1.1 Meetings of the County Council will be held at County Hall, Kingston upon Thames in February, (the Budget Meeting), May (the Annual Meeting), unless otherwise required, and at other times as and when required, but no less than quarterly.
- 1.2 Meetings of the Council will normally begin at 10.30am but the Chairman may fix some other starting time.

Summons and agenda

- 2.1 The Summons and agenda papers for Council meetings will be sent to all Members 7 days before the meeting.
- 2.2 Only the business on the agenda will be discussed at a Council meeting except for urgent matters which the Chairman rules may be considered.

Adjournment

- 3.1 The Council may adjourn at any time if it votes to do so under Standing Order 24. Any business which is adjourned will be dealt with at the next meeting unless at the time of the adjournment the Council decides to call an extra meeting to consider the adjourned business.
- 3.2 The Chairman will adjourn a meeting if there is not a quorum of Members present.

Quorum

4. The Quorum will be one quarter of the total number of Members.

Interruptions and disorderly conduct

- 5.1
 - (a) If a member of the public interrupts the proceedings at a meeting the Chairman may ask him/her not to interrupt.
 - (b) If the interruption continues the Chairman may order his/her removal from the Council Chamber.

- (c) If there is a general disturbance in all or part of the gallery the Chairman may order that part to be cleared.
- 5.2
- (a) If a Member behaves in a disorderly or disruptive manner, any Member may move, with the consent of the Chairman, "That the named Member be not further heard". If this motion is seconded it will be put to the vote and determined without discussion.
 - (b) If the motion is carried and the misconduct continues the Chairman may adjourn or suspend the sitting of the Council for as long as he/she considers appropriate.

ORDER OF BUSINESS

- 6.1.1 Unless changed by the application of Standing Order 6.2, the Chairman, following consultation with Group Leaders and the Monitoring Officer, will determine the order of business at Council meetings, although there will be an expectation that items requiring a decision by Council will usually be taken earlier in the agenda.

Extraordinary meetings

- 6.1.2 Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:
- (a) the Council by resolution;
 - (b) the Chairman of the Council;
 - (c) the Chief Executive; and
 - (d) any five Members of the Council if they have signed a requisition presented to the Chairman of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

Election of Chairman and Vice-Chairman

- 6.2 The first business at the Annual Meeting will be the election of the Chairman and Vice-Chairman of the Council. Where more than one Member is proposed for either office election will be by show of hands, or if requested by a recorded vote.
- 6.3 A Member proposing to nominate another Member as Chairman or Vice-Chairman of the Council must notify the Chief Executive of his/her nomination before the meeting at which the election is to be held. The Chief Executive will report any nominations received at the meeting.

Election of the Leader of the Council

- 6.4 The Leader of the Council will be elected by the County Council at its Annual Meeting following the County Council election.
- 6.5 Where more than one Member is proposed election will be by show of hands, or if requested by a recorded vote.
- 6.6 A Member proposing to nominate another Member as Leader must notify the Chief Executive of his/her nomination before the meeting at which the election is to be held. The Chief Executive will report any nominations received at the meeting.

Appointment of the Deputy Leader and members of the Cabinet

- 6.7 The Deputy Leader and other members of the Cabinet will be appointed by the Leader of the Council and reported to the Council at the next appropriate meeting.

Election of committee chairmen and vice-chairmen

- 6.8 The chairmen and, where appropriate, vice-chairmen of all of the standing committees of the Council listed in Part 2 of Standing Orders will be elected by the County Council, generally at its Annual Meeting.
- 6.9 Where more than one Member is proposed election will be by show of hands, or if requested by a recorded vote.
- 6.10 A Member proposing to nominate another Member as chairman must notify the Chief Executive of his/her nomination before the meeting at which the election is to be held. The Chief Executive will report any nominations received at the meeting.

MINUTES

- 7.1 The Chairman will move the formal motion "That the minutes of the last meeting be confirmed and signed by the Chairman" and there may only be discussion if there is disagreement about their accuracy which will be resolved by a vote in the normal way.
- 7.2 The minutes of the last meeting will be approved at the next ordinary meeting of the Council.
- 7.3 Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purpose of signing of minutes.

REPORTS OF THE CABINET AND COMMITTEES

- 8.1 The reports and recommendations of the Cabinet and those committees reporting to a meeting will, except in cases of urgency, be printed in the County Council agenda and circulated with the summons and agenda for the meeting.
- 8.2 The Cabinet's report to Council will be agreed by or on behalf of the Leader of the Council. It will include the following:
- (a) Recommendations for decision by the Council under Article 4 of the Constitution;
 - (b) Decisions by the Cabinet on reports and recommendations made to it by select committees under Article 7 of the Constitution, as appropriate;
 - (c) Matters on which the Cabinet would welcome a County Council view before taking a decision;
 - (d) Decisions taken by the Cabinet which it wishes to draw to the Council's attention because of their particular importance or significance;
 - (e) Decisions taken by the Cabinet/Cabinet Members as a matter of urgency, together with the reasons for urgency (to be reported quarterly); and
 - (f) Updates on important developments regionally and nationally.
- 8.3 The Council's agenda will include the formal minutes of meetings of the Cabinet held during the previous cycle. Any matters within the minutes of the Cabinet's meetings, and not otherwise brought to the Council's attention in the Cabinet's report, may be the subject of questions and statements by Members under SO8.8 upon notice being given to the Democratic Services Lead Manager by 12.00 noon on the day before the meeting of the Council.
- 8.4 The Leader of the Council and committee chairmen will move the reception of their reports and may make a statement in introducing either the report as a whole or any particular part of it.
- 8.5 Motions for the reception and adoption of a report need not be seconded. The recommendations of a report will be put from the Chair without needing to be formally moved and seconded and the Leader of the Council or the chairman of the committee, as appropriate, will be treated as the proposer of the motion contained in the recommendation.

- 8.6 Amendments to the motion for the reception of the report will not be allowed except as provided in Standing Order 8.13 (b) (ii).
- 8.7 After a report has been received the Chairman will call each lettered paragraph and its associated recommendation(s) for debate.
- 8.8 When a paragraph is called a Member may do any or all of the following:
- (a) without notice ask questions to obtain explanation of or information about the subject matter of the report;
 - (b) move the reference back of the paragraph for further consideration;
 - (c) move an amendment to a recommendation;
 - (d) make a relevant statement for not more than 3 minutes to which the Leader, Deputy Leader or another member of the Cabinet or committee chairman may reply if he/she wishes.

If action has already been taken after being authorised by the Cabinet or a committee the reference back of the report will not invalidate the action taken.

- 8.9 The Leader of the Council, Deputy Leader or appropriate Member of the Cabinet or Committee Chairman may make a statement on any matter within the responsibilities of the Cabinet or any Committee.
- 8.10 Once the Leader, Deputy Leader or another member of the Cabinet or committee chairman has replied to the statements or questions under Standing Order 8.8 there will be no further comment on the paragraph under discussion unless the Chairman decides it would be appropriate.
- 8.11 During the debate the Leader, Deputy Leader or the appropriate member of the Cabinet or committee chairman will be entitled to speak before the mover of the amendment replies to the debate.
- 8.12 When discussion of the report of the Cabinet or committee is concluded the Chairman will move "That the report be adopted" or "The report as amended be adopted" and, except for the next Standing Order, no amendment to the motion will be allowed.
- 8.13 Upon the motion in Standing Order 8.12 being put:
- (a) the Leader, Deputy Leader or appropriate Member of the Cabinet or committee chairman may make a statement on any matter within the responsibilities of the Cabinet or committee as appropriate.

- (b) (i) any Member may ask a question about any matter which had been considered at the previous meeting of the Cabinet or committee but not included in the report to Council; and
- (ii) if the Chairman decides the matter is both urgent and important the Member may move a motion to amend the motion for the adoption of the report to express disapproval of the failure to include the matter in the report.

MEMBER STATEMENTS

- 9.1 Any Member may make a statement at a meeting of the Council on a local issue of current or future concern, subject to:
- (a) all such statements being relevant to some matter on which the Council has powers or duties, or which affects the county;
 - (b) notice of every statement being given in writing to the Democratic Services Lead Manager by 12.00 noon on the day before the meeting of the Council;
 - (c) all statements being time-limited to 2 minutes in each case; and
 - (d) every statement being put without discussion or reply.
- 9.2 Member Champions may make a statement on their area of responsibility at a meeting of the Council, and will provide a written report at the Annual Meeting of the Council. Member Champions will also meet formally with the Cabinet and Corporate Leadership Team once a year.

QUESTIONS

- 10.1 At a meeting of the Council, Members may ask the Leader of the Council, the Deputy Leader or the appropriate member of the Cabinet, or the chairman of a committee any question on any matter in respect of which the Council has powers and duties or which affects the county.
- 10.2 Notice of questions on matters which are not included in a report to the Council must be given in writing to the Democratic Services Lead Manager by 12 noon four working days before the Council meeting, i.e. Wednesday. If the period in question includes a Bank Holiday then notice of questions should be received by 12 noon on the previous day, i.e. Tuesday.
- 10.3 Questions may be asked without notice if the Chairman decides that the matter is urgent.
- 10.4 Questions under Standing Order 8.8 do not require prior notice.

- 10.5 Where a Member has given notice of a question and is absent from the meeting another Member may ask it on his/her behalf.
- 10.6 Every question will be put and answered without discussion.
- 10.7 Copies of all questions and answers will be circulated to Members by e-mail during the day before the Council meeting. If the day before the Council meeting is a Bank Holiday, answers will be circulated on the previous Friday.
- 10.8 The Leader may arrange for a question to be answered by the Deputy Leader or appropriate member of the Cabinet.
- 10.9 Questions may be answered orally or in writing.
- 10.10 If the Leader, Deputy Leader or member of the Cabinet or committee chairman is unable to answer any question at the meeting he/she may send a written answer to the Member asking the question and to any other Members upon request.
- 10.11 Questions submitted under SO10 will be managed as follows:
- All first questions submitted by Members will be taken first. Second questions will follow, then third questions and so on.
 - Question time will be limited to 45 minutes.
 - Following the initial reply by the Leader, Deputy Leader, Member of the Cabinet or committee chairman, the Chairman will allow at his/her discretion a period of up to 5 minutes per question in which Members of the Council may ask supplementary questions.
- 10.12 A record of all questions and answers will be included in the minutes of the meeting.

ORIGINAL MOTIONS

Notice of motion

- 11.1 Any Member may give notice of one motion for consideration at any meeting of the Council.
- 11.2 All motions must be relevant to some matter on which the Council has powers or duties, or which affects the county.
- 11.3 Notice of every motion (other than a motion under Standing Orders 11.5 and 27) must be given in writing to the Democratic Services Lead Manager at least 14 days before a meeting of the Council.
- 11.4 The Democratic Services Lead Manager will record the details of every notice on a register. The register will be open to the inspection of Members.
- 11.5 A motion may be considered without notice if the Chairman decides that the matter is urgent.
- 11.6 If notice is given of any motion which, in the opinion of the Chief Executive, is:

out of order;
illegal;
irregular; or
improper

it will not be accepted and placed on the agenda. If a motion is not accepted, the Democratic Services Lead Manager will inform the Member giving notice in writing.

Moving the motion

- 12.1 A motion may only be moved by the Member who gave the notice, or by a Member authorised by him/her.
- 12.2 Where notice of a motion has been given for any meeting, and that motion is not moved, the notice will lapse. The motion may not be moved without further notice.
- 12.3 In each case where the Council is not required by statute to receive a Cabinet or committee report, before any Member speaks to the motion, the Council will be invited to decide whether to debate an original motion immediately, or to refer it to the Cabinet or the appropriate committee either for debate and report to the Council or determination by the Cabinet or Committee. Before the Council takes the vote, the proposer of the original motion shall have the right to make a statement of up to two minutes in length as to why it should not be so referred and

either the Leader or the Cabinet Member for the function(s) concerned or the chairman of the appropriate committee shall have the right to respond for up to two minutes. The question of referral shall then be put to the vote.

- 12.4 Any questions as to which committee(s) a motion is to be referred will be decided by the Council.
- 12.5 When a motion is referred to the Cabinet or appropriate committee under Standing Order 12.3, the Member of the Council who has moved the motion and his/her seconder shall be notified of the meeting at which the Cabinet or committee will consider the motion. They shall have the right to attend the meeting and speak to the motion.
- 12.6 Where a motion is referred to the Cabinet or a committee, it will report upon the motion to the following ordinary meeting of the Council and Standing Order 8.8(b) and 8.8(c) shall not apply to such report.
- 12.7 The Cabinet or committee may recommend exceptionally that consideration of a motion should be deferred, in which case the appropriate member of the Cabinet or the committee chairman may explain the reasons for the recommendation. The mover and seconder of the original motion may also speak. The recommendation will then be put to the Council without further debate.
- 12.8 If a notice of motion relates to a matter which, under legislation or the County Council's Constitution, is the responsibility of the Cabinet, the Motion may only call on the Council to request the Cabinet to consider a particular course of action, and may not bind the Cabinet.

Debating the motion

- 13.1 When a motion comes before the Council with any report of the Cabinet or the appropriate committee(s), the following order of speeches will apply:
 - (a) The mover of the motion.
 - (b) The seconder of the motion.
 - (c) The Leader, Deputy Leader or the appropriate member of the Cabinet or chairman of the committee(s).
 - (d) At the conclusion of the debate on the motion, the mover of the motion may reply.

MOTIONS TO RESCIND OR AMEND RESOLUTIONS

- 14.1 A Member cannot move a motion to rescind or amend any resolution which has been passed in the previous six months. Nor may a Member

move a motion or amendment to the same effect as one rejected within the previous six months.

- 14.2 An exception will be allowed in either case where notice has been given and placed on the agenda. The notice must have the support of ten Members (including the proposer).
- 14.3 This Standing Order will not apply to any recommendation of the Cabinet or a committee to rescind a decision taken within the previous six months.

RULES OF DEBATE

- 15.1 When speaking, Members will stand and address the Chair. Members will be called to speak by the Chairman. A Member who is speaking will immediately sit down if the Chairman rises, or if another Member raises a point of order.
- 15.2 Every motion or amendment must be moved and seconded and, if the Chairman requires, must be submitted in writing to the Chief Executive and read aloud before it is put to the meeting.

RIGHT TO SPEAK

- 16.1 A Member may only speak once on a motion or amendment except:
- (a) the mover may reply to the debate, but in doing so, may only answer statements or arguments made in the course of the debate. He/she may not introduce any new matter;
 - (b) the mover of a motion may speak during the debate on any amendment to the motion;
 - (c) a Member who has already spoken may speak on a point of order or may, at the Chairman's discretion, explain any statement made by him/her which he/she believes has been misunderstood;
 - (d) the Leader, Deputy Leader or member of the Cabinet or committee chairman may speak before the mover of the motion or amendment replies to the debate.
- 16.2 A Member seconding any motion or amendment will be deemed to have spoken on it unless he/she speaks immediately or reserves his/her right to speak later in the debate.

Relevance

- 16.3 Every Member who speaks must direct his/her speech strictly to the motion or matter under discussion, or to a motion or amendment which he/she moves, or to a point of order.

POINTS OF ORDER

17. Any Member wishing to raise a point of order must say at the outset the Standing Order or rule of debate which he/she believes has been infringed. Every point of order will be decided immediately by the Chairman whose decision will be final.

LENGTH OF SPEECHES

18. Except with the consent of the Chairman, the following time limits will apply to speeches:
- (a) The mover of a motion or an amendment
(10 minutes)
(A Member may not speak for more than five minutes unless he/she has a seconder).
 - (b) The Leader or the Deputy Leader and the appropriate member of the Cabinet or chairman of a committee speaking to the debate on a motion or amendment.
(10 minutes)
 - (c) The mover of a motion either speaking to an amendment or replying to the debate.
(5 minutes)
 - (d) The mover of an amendment replying to the debate on the amendment.
(5 minutes)
 - (e) The seconder of a motion or an amendment.
(5 minutes)
 - (f) A Member speaking on a paragraph of a Cabinet report or of a Committee report or in a debate.
(3 minutes)
 - (g) The Leader or the Deputy Leader and appropriate member of the Cabinet or a committee chairman either making a statement on the introduction of a report or any particular paragraph, or replying to the debate on a paragraph of a report.
(10 minutes)
 - (h) The Leader of the Council in moving the reception of the Budget, or in replying to that debate.
(No time limit)

- (i) The Leader of the Council making a statement on any matter within the responsibilities of the Cabinet or any of the Council's committees.

(10 minutes)

AFTER REPLY DEBATE IS CLOSED

- 19. After the reply is made, the motion or amendment under discussion will be put from the Chair.

PROCEDURE FOR MOTIONS AND AMENDMENTS

- 20.1 A Member may not move or second more than one amendment on any motion.

- 20.2 Once moved and seconded, a motion or amendment may not be withdrawn without the consent of the Council.

- 20.3 With the consent of the Council, a Member may:

- (a) alter a motion of which he/she has given notice; or
- (b) with the consent of his/her seconder, alter a motion which he/she has moved.

(In either case, the alteration must be one which could be made as an amendment under Standing Order 21.1)

- 20.4 Motions or amendments relating to the annual consideration of the Budget should be submitted in a standard format to be set down by the Head of Finance.

AMENDMENTS

- 21.1 Every amendment must be relevant to the motion under discussion and either:

- (a) move the reference back
- (b) leave out words
- (c) add words, or
- (d) leave out words and add others.

- 21.2 An amendment which forms the negative of the motion will not be allowed.

- 21.3 Whenever an amendment has been moved and seconded, no subsequent amendment may be moved until the first has been dealt with, unless the Chairman decides otherwise.
- 21.4 If an amendment is lost, other amendments may be moved on the motion.
- 21.5 If an amendment is carried, the motion as amended will become the substantive motion, on which further amendments may be moved.

MOTIONS RELATING TO PERSONAL NOMINATIONS

- 22.1 When considering a recommendation for the appointment or nomination of representatives to serve in any personal or representative capacity, additional names may be proposed and seconded by way of amendment. All the nominations will be placed in alphabetical order and votes in favour of each name will be taken separately.
- 22.2 Each Member may vote for as many persons as are to be nominated, and the number receiving the highest number of votes will be declared to be appointed or nominated.

PROCEDURAL MOTIONS

“That the question be now put”

- 23.1 Any Member may, at the close of the speech of another Member, move “That the question be now put”.
- 23.2 If he/she considers that there has been adequate debate, the Chairman may put the motion “That the question be now put” without debate. If the motion is carried with 20 or more Members voting in favour:
- (i) the Leader, Deputy Leader or appropriate member of the Cabinet or committee chairman may speak to the motion or amendment under debate, if he/she has not already spoken; and
 - (ii) the mover of the motion or amendment may reply.

The motion or amendment will then be put.

“That the Council do now adjourn”

- 24.1 Any Member may, at the close of speech of another Member, move “That the Council do now adjourn”.
- 24.2 The motion for the adjournment must have the support of ten Members (including the mover and seconder), who will show their support by

standing. If fewer than ten Members stand, the motion will be considered as withdrawn.

- 24.3 If the motion is supported, the Chairman will invite the mover to speak for not more than five minutes. The motion will then be put to the vote.
- 24.4 If the motion is carried, the motion or amendment under debate will stand adjourned to the next meeting.
- 24.5 The Chairman will then call over the remaining business, and any business which is opposed (by any Member so indicating) will stand adjourned. During the "calling-over" procedure each report will be formally moved by the Leader, Deputy Leader or appropriate member of the Cabinet or committee chairman and each paragraph and recommendation will be called by the Chairman in the usual way. No statements, comments, motions or questions will be permitted.

"That the debate be now adjourned"

- 25.1 Any Member may, at the close of the speech of another Member, move "That the debate be now adjourned".
- 25.2 The motion for the adjournment must have the support of ten Members, (including the mover and seconder), who will show their support by standing. If fewer than ten Members stand, the motion will be considered as withdrawn.
- 25.3 If the motion is supported, the Chairman will invite the mover to speak for not more than five minutes. The motion will then be put to the vote.
- 25.4 If the motion is lost it may not be moved again for half an hour, except by the Chairman.
- 25.5 If the motion is carried, the debate will continue at the next meeting of the Council. The Member who moved the adjournment will then be entitled to speak first.
- 25.6 The Council will then proceed to the next item of business.

"That the Council do now proceed to the next business"

- 26.1 Any Member may, at the close of the speech of another Member move "That the Council do now proceed to the next business".
- 26.2 The motion must have the support of ten Members, (including the mover and seconder), who will show their support by standing. If fewer than ten Members stand, the motion will be considered as withdrawn.
- 26.3 If the motion is supported, the Chairman will allow the mover to speak for not more than five minutes. The Leader, Deputy Leader or

appropriate member of the Cabinet or the committee chairman may then speak if he/she has not already done so. Finally if there has been an “original” motion or amendment under discussion the mover of that may reply.

- 26.4 The motion “to proceed to the next business” will then be put. If lost, it may not be moved again for half an hour, except by the Chairman. The debate on the “original” motion or amendment will then be resumed.
- 26.5 If the motion “to proceed to the next business” is carried, then the matter under debate will be considered terminated or lost.
- 26.6 If, by operation of this Standing Order, an amendment to a motion is lost, the debate on the motion itself will be resumed.

SUSPENSION OF STANDING ORDERS

- 27.1 It is open to the County Council to suspend Standing Orders applying to meetings of the Council in whole or in part wherever that will assist it in carrying out its business in new and different forms. Suspension will only be for the duration of the meeting.
- 27.2 Any Standing Order may be suspended at any meeting upon:
- (a) a recommendation by the Cabinet or a committee, or the Chief Executive; or
 - (b) a motion, notice of which has been given in writing by a Member to the Chief Executive by 12 noon on the day before the meeting of the Council; or
 - (c) a direction by the Chairman in any case of urgency.

VOTING

- 28.1 Voting will be by show of hands unless, by standing, ten Members demand a recorded vote. Where a recorded vote is called, the names of those voting for or against the motion or amendment will be recorded and entered in the minutes.
- 28.2 Where a demand for a recorded vote is not supported, any Member may require his/her vote for or against a motion to be recorded in the minutes.
- 28.3 On a formal motion put from the Chair (e.g. “That the report be received”), the question may be decided by the voice of the Members, unless any Member demands a show of hands.

28.4 If immediately after a vote is taken any Member so requires, the way in which he/she voted (or abstained) will be recorded in the minutes of that meeting.

28.5 The person presiding at the meeting will have a second or casting vote.

INTERESTS OF MEMBERS

29.1 Where a Member attends a meeting which is considering a matter relating to a disclosable pecuniary interest they have, or any relevant gifts and/or hospitality they have received, and which is not listed on their register, they must disclose the interest to the meeting and, within the next 28 days, notify the Monitoring Officer of the interest for inclusion in the register.

29.2 SO 62 in Part 3 of Standing Orders shall apply to participation by a Member in relation to disclosable pecuniary interests.

ATTENDANCE OF MEMBERS

30. Members will sign a register of attendance.

<p>PART 2 OF STANDING ORDERS CONSTITUTION AND APPOINTMENT OF CABINET AND COMMITTEES</p>
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CONSTITUTION OF CABINET

31. The Cabinet will comprise the Leader of the Council, who will be its Chairman, the Deputy Leader and such other Members (up to a maximum of 8) as the Leader agrees. The Deputy Leader as Vice-Chairman of the Cabinet will preside if the Chairman is absent.

CONSTITUTION OF COMMITTEES

32. The constitution of the committees of the Council is as follows:

Name of Committee	Members of the Council	Ex-officio Members	Other Members	Total
Cabinet	Leader, Deputy Leader +up to 8	-	-	up to10
Select Committees:				
Council Overview & Scrutiny	15	2	-	17
Adult Social Care	12	2	-	14
Children & Education	12	2	-	14
Communities	12	2	-	14
Environment & Transport	15	2	-	17
Health	12	2	3	15
Audit and Governance	6	4	-	10
People, Performance and Development Committee	6	2	-	8
Planning & Regulatory	12	4	-	15
Surrey Pension Fund Board	6	-	4	10
Local Committees:				
One for each district/borough area	Between 5 and 10		Between 5 and 10	Between 10 and 20

CO-OPTED MEMBERS

- 33.1 Co-opted members of committees have no voting rights except for:
- (a) Church and Parent Governor representatives appointed to select committees related to education matters;
 - (b) Borough/district councillors appointed to local committees with voting rights in relation to all matters, with the exception of Education, Youth and Member's Allocations.
 - (c) Borough/district councillors appointed to the Health Scrutiny Committee; and
- 33.2 Subject to subsequent report to the Council, committees may co-opt members in addition to those required under statutory schemes related to education matters.

EX-OFFICIO ATTENDANCE

- 34.1 The Chairman and Vice-Chairman of the Council may attend and speak (but not vote) at meetings of all committees except local committees.
- 34.2 The Leader and/or Deputy Leader of the Council may attend and speak (but not vote) at any meetings of the Planning and Regulatory and Audit and Governance Committees.
- 34.3 Ex-officio Members may not move or second motions or amendments.

CABINET MEMBERS

- 35.1 The individual portfolios to be allocated to Cabinet Members will be determined by the Leader of the Council. Their responsibilities are set out in the *"Member/Officer Protocol"*.
- 35.2 The Chairman and Vice-Chairman of the Council may not be members of the Cabinet.
- 35.3 Members of the Cabinet may not be members of a select committee.

APPOINTMENT OF COMMITTEES

- 36.1 The Council will:
- (a) review the proportional political allocation of places on all committees both annually and at other times as required; and
 - (b) at its Annual Meeting on receipt of a report from the Chief Executive appoint Members to serve on committees in accordance with the expressed wishes of political groups.

MEMBERSHIP OF COMMITTEES

- 37.1 Every person appointed to be a member of any committee as a Member of the Council will cease to be a member of that committee once he/she ceases to be a county councillor unless he/she has been re-elected as such and comes into office before the date of his/her retirement. This will apply similarly to district/borough Council members of County committees.
- 37.2 Committees may include persons who are not Members of the Council, provided that at least two-thirds of the members of a committee are county councillors (with the exception of Local Committees where paragraph 8.1 of Section 2 of the Scheme of Delegation applies).

COMMITTEE CHAIRMEN AND VICE CHAIRMEN

- 38.1 Chairmen and vice-chairmen of committees will be elected by the County Council under SO 6.8. Any other committees will elect a chairman, and if necessary also a Vice-Chairman, at the first meeting after their appointment each year. The person presiding at the meeting may exercise any power or duty of the chairman.
- 38.2 Where more than one Member is proposed election will be by show of hands, or if requested by a recorded vote.
- 38.3 During the interval between the appointment and first meeting of a committee, the retiring chairman and vice-chairman may continue to act as such if still members of the committee if a chairman and vice-chairman have not been elected by the Council.
- 38.4 A member of a committee proposing to nominate another Member as chairman or vice-chairman must notify the Chief Executive of his/her nomination before the meeting at which the election is to be held. The Chief Executive will report any nominations received at the meeting.
- 38.5 Where the constitution of committees includes persons who are not county councillors, their chairman must be elected from among the appointed Council Members of the committee.
- 38.6 The Chairman of the Council may not be appointed as chairman of any committee.

COMMITTEES' TERMS OF OFFICE

- 39.1 All committees will hold office until the first meeting of their successors, except in the year of a County Council election when, (subject to Standing Order 37.1) they and their respective chairmen may continue to act until their successors are appointed.

- 39.2 In the year of a County Council election, Members of the Council serving as such on other bodies may continue to act until their successors are appointed. This will not however apply where the constitution of the body concerned requires the appointment of serving county councillors.

SUBSTITUTES

40. The following procedure will apply to the appointment of substitutes:
- (a) A substitute Member will only attend if the appointed Member cannot do so;
 - (b) Political groups are permitted substitutes on each committee (except for local committees) in the ratio: Conservative Group 3; Liberal Democrat Group 1; Residents' Association & Independent Group 1; UK Independence Party Group 1, subject to paragraph (g) below;
 - (c) Substitute Members may attend meetings in that capacity only:
 - (i) to take the place of the ordinary Member for whom they are the designated substitute;
 - (ii) where the ordinary Member will be absent for the whole of the meeting; and
 - (iii) after notifying the proper officer as set out in paragraph (d) below.
 - (d) Attendance of a substitute at a forthcoming meeting will be notified in writing to the Democratic Services Lead Manager as soon as possible and by no later than half an hour before the start of the meeting. Either the absent Member or a group representative can notify; the substituting Member cannot give the notice. The committee manager will notify the chairman of any substitutes at the start of the meeting.
 - (e) The principle of substitute membership will apply to appointed county council Members and not to ex officio Members or co-opted members except for those representing the Church or parent governors.
 - (f) No substitutes are permitted for district/borough council co-opted members of local committees, unless a local committee agrees otherwise at its first meeting following the Council's annual meeting and in relation to all meetings in the following year, upon which named substitutes will be appointed to the Local Committee on the nomination of the relevant district/borough council.

- (g) In the event of the long-term illness, death or resignation of a county councillor, in addition, a substitute may be allocated to each appropriate committee, without affecting the rules in the preceding sub-paragraphs, but until a by-election has taken place no permanent appointment may be made to fill the vacancy.
 - (h) The Council will appoint named substitutes to serve on the Planning and Regulatory Committee, comprising up to seven Members each from the Conservative, Liberal Democrat and Residents' Association & Independent Party Groups and up to two Members from the UK Independence Party Group, subject to no more than four Conservative, one Liberal Democrat, one Residents' Association & Independent and one UK Independence Party Group Member being substituted at any one time.
 - (i) The Council will appoint named substitutes to serve on the People, Performance and Development Committee and its Appointments Sub-Committee, comprising up to seven Cabinet Members and up to seven Members each from the Liberal Democrat and Residents' Association & Independent Groups, subject to no more than 50% of the membership of the committee/sub-committee being substituted on any one occasion.
 - (j) The Council will appoint named substitutes for the Health Scrutiny Committee, comprising up to seven Members each from the Conservative, Liberal Democrat and Residents' Association & Independent Group and up to two Members from the UK Independence Party Group, subject to no more than four members of the committee being substituted on any one occasion.
41. The substitution rules will not apply to Cabinet Members attending meetings of the Cabinet.

APPOINTMENT OF POLITICAL ASSISTANTS

42. No appointment to a post established under Section 9 of the Local Government and Housing Act 1989 (Assistants for Political Groups) may be made until the Council has allocated a post to each of the groups which qualify for one under the Act:
- (a) no political assistant post may be allocated to a political group which does not qualify for one under the 1989 Act;
 - (b) no political group may be allocated more than one political assistant post;
 - (c) subject to these Standing Orders, all political assistant posts must be filled in accordance with the wishes of the political group to which the post has been allocated.

(Note: it is open to a political group not to have such a post even though it is entitled to one).

MEMBER CHAMPIONS

43. The Council will agree at its annual meeting which interests or issues should be “championed” during the next Council year and the Leader will appoint Member Champions for such interests or issues following consultation with Group Leaders. Appointment of Member Champions shall be on an annual basis but appointments may be renewed.

PART 3 OF STANDING ORDERS CABINET AND COMMITTEES: MEETINGS AND PROCEDURE

NOTICE OF MEETING

- 44.1 The date, time and place of the fixed meetings of the Cabinet and every committee and Cabinet Member decision meetings will be printed in the County Diary. The notice, agenda, reports and other documents prepared for the Cabinet, Cabinet Members and committees will be sent to Members as long beforehand as is reasonably practicable. In the case of the Cabinet and Cabinet Members and committees exercising delegated powers this will not be less than five clear days before the date of the meeting.
- 44.2 Only the business on the agenda will be discussed at a meeting of the Cabinet, of a Cabinet Member or of a committee except for urgent matters raised in accordance with the provisions in the Constitution or Section 100B(4)(b) of the Local Government Act 1972.

SPECIAL MEETINGS

- 45.1 A special meeting of the Cabinet or any committee will be convened to consider specific matters within its terms of reference if either:
- (a) the Chairman of the Cabinet or that committee or one quarter of their members direct the Chief Executive; or
 - (b) the Chief Executive is of the opinion that a special meeting of the Cabinet or a committee should be convened as a matter of urgency.
- 45.2 At least five clear days' notice of a special meeting must be given.

CONFIDENTIALITY

Committee Papers, etc

- 46.1. All Members must respect the confidentiality of any papers made available to them whether for the purpose of meetings of the Cabinet, of Cabinet Members or of committees or otherwise, for so long as those papers remain confidential.

Failure to observe

- 46.2. Any or all of the rights conferred on a Member of the Council under the Constitution may be withdrawn by the Council if it is satisfied that he/she has not observed the requirements of Standing Order 46.1 in relation to any of its papers.

QUESTIONS TO THE CABINET MEMBERS AND COMMITTEES

- 47.1 Any Member of the Council may, with the chairman's consent, ask one or more questions on matters within the terms of reference of the Cabinet or any committee. (This Standing Order shall also apply to borough/district council members of local committees).
- 47.2 Notice of questions must be given in writing to the Democratic Services Lead Manager (or relevant Community Partnership and Committee Officer in the case of Local Committees) by 12 noon four working days before the meeting. If the day in question is a Bank Holiday then notice of questions should be received by 12 noon on the previous working day.
- 47.3 Questions may be asked without notice if the chairman decides that the matter is urgent.
- 47.4 Where a Member has given notice of a question and is absent from the meeting another Member may ask it on his/her behalf.
- 47.5 Every question will be put and answered without discussion.
- 47.6 Copies of all questions will be circulated to Members before the start of the meeting.
- 47.7 Questions may be answered orally or in writing.
- 47.8 If the Leader, Deputy Leader or member of the Cabinet or committee chairman is unable to answer any question at the meeting he/she may send a written answer to the Member asking the question.
- 47.9 At the discretion of the chairman, a Member who has given notice of a question may ask one supplementary question relevant to the subject of the original.
- 47.10 A record of all questions and answers will be included in the minutes of the meeting.

QUORUM

- 48.1 The chairman will adjourn the meeting if there is not a quorum present.

- 48.2 The quorum will be one quarter of the total number of voting members of the Cabinet or committee. A quorum may not be fewer than three voting Members.

RIGHT TO SPEAK

- 49.1 A Member may only speak once on a motion or amendment except:
- (a) the mover may reply to the debate but, in doing so, may only answer statements or arguments made in the course of the debate. He/she may not introduce any new matter;
 - (b) the mover of a motion may speak during the debate on any amendment to the motion;
 - (c) a Member who has already spoken may speak on a point of order or may, at the chairman's discretion, explain any statement made by him/her which he/she believes has been misunderstood;
 - (d) the chairman may speak before the mover of the motion or amendment replies to the debate.
- 49.2 A Member seconding any motion or amendment will be deemed to have spoken on it unless he/she speaks immediately and reserves his/her right to speak later.

RELEVANCE

50. Every Member who speaks must direct his/her speech strictly to the motion or matter under discussion, or to a motion or amendment which he/she moves, or to a point of order.

POINTS OF ORDER

51. Any Member wishing to raise a point of order must say at the outset the Standing Order or rule of debate which he/she believes has been infringed. Every point of order will be decided immediately by the chairman whose decision will be final.

LENGTH OF SPEECHES

52. Except with the consent of the chairman, the following time limits will apply to speeches:
- (a) The mover of a motion or an amendment.
(10 minutes)
(A Member may not speak for more than five minutes unless he/she has a seconder).

- (b) The Leader or the Deputy Leader and the appropriate member of the Cabinet or committee chairman speaking to the debate on a motion or amendment.
(10 minutes)
- (c) The mover of a motion either speaking to an amendment or replying to the debate.
(5 minutes)
- (d) The mover of an amendment replying to the debate on the amendment.
(5 minutes)
- (e) The seconder of a motion or an amendment.
(5 minutes)
- (f) A Member speaking on a report or in a debate.
(3 minutes)
- (g) The Leader of the Council speaking on a report or in a debate.
(5 minutes)

AFTER REPLY DEBATE IS CLOSED

- 53. After the reply is made, the motion or amendment under discussion will be put from the Chair.

PROCEDURE FOR MOTIONS AND AMENDMENTS

- 54.1 Every motion or amendment must be moved and seconded and, if the chairman requires, must be submitted in writing to the Chief Executive and read aloud before it is put to the meeting.
- 54.2 A Member may not move or second more than one amendment on any motion.
- 54.3 Once moved and seconded, a motion or amendment may not be withdrawn without the consent of the Cabinet or committee.
- 54.4 With the consent of the Cabinet or committee a Member may:
 - (a) alter a motion of which he/she has given notice; or
 - (b) with the consent of his/her seconder, alter a motion which he/she has moved.

(In either case, the alteration must be one which could be made as an amendment under Standing Order 55.1).

AMENDMENTS

- 55.1 Every amendment must be relevant to the motion under discussion and will either:
- (a) move the reference back
 - (b) leave out words
 - (c) add words, or
 - (d) leave out words and add others.
- 55.2 An amendment which forms the negative of the motion will not be allowed.
- 55.3 Whenever an amendment has been moved and seconded, no subsequent amendment may be moved until the first has been dealt with, unless the chairman decides otherwise.
- 55.4 If an amendment is lost, other amendments may be moved on the motion.
- 55.5 If an amendment is carried, the motion as amended will become the substantive motion, on which further amendments may be moved.

MOTIONS RELATING TO PERSONAL NOMINATIONS

- 56.1 When considering a nomination for the appointment or nomination of representatives to serve in any personal or representative capacity, additional names may be proposed and seconded by way of amendment. All the nominations will be placed in alphabetical order and votes in favour of each name will be taken separately.
- 56.2 Each Member may vote for as many persons as are to be nominated, and the number receiving the highest number of votes will be declared to be nominated.

PROCEDURAL MOTION

“That the question be now put”

- 57.1 Any Member may, at the close of the speech of another Member, move “That the question be now put”.
- 57.2 If he/she considers that there has been adequate debate, the chairman may put the motion “That the question be now put” without debate. If the motion is carried:

- (a) the chairman may speak to the motion or amendment under debate, if he/she has not already spoken; and
- (b) the mover of the motion or amendment may reply.

57.3 The motion or amendment will then be put.

INTERRUPTIONS AND DISORDERLY CONDUCT

- 58. (a) If a Member of the public interrupts the proceedings at a meeting the chairman may ask him/her not to interrupt.
 - (b) If the interruption continues the chairman may order his/her removal from the room.
 - (c) If there is general disturbance in all or part of the public gallery the chairman may order that part to be cleared.
- 59. (a) If a Member behaves in a disorderly or disruptive manner, any Member may move, with the consent of the chairman, "That the named Member be not further heard". If this motion is seconded it will be put to the vote and determined without discussion.
 - (b) If the motion is carried and the misconduct continues the chairman may adjourn or suspend the sitting of the Cabinet or committee for as long as he/she considers appropriate.

VOTING

- 60.1 Voting will be by show of hands unless Members demand a recorded vote. Where a recorded vote is called, the names of those voting for or against the motion or amendment will be recorded and entered in the minutes.
- 60.2 Where a demand for a recorded vote is not supported, any Member may require his/her vote for or against the motion to be recorded in the minutes.
- 60.3 On a formal motion put from the Chair (e.g. "That the report be received"), the question may be decided by the voice of the Members, unless any Member demands a show of hands.
- 60.4 If immediately after a vote is taken any Member so requires, the way in which he/she voted (or abstained) will be recorded in the minutes of that meeting.
- 60.5 The person presiding at the meeting will have a second or casting vote.

INTERESTS OF MEMBERS

- 61 At any meeting where a Member becomes aware that a matter under consideration relates to:
- (a) one of their disclosable pecuniary interests, not entered on the Council's register and/or
 - (b) the donor of any gift and/or hospitality they have accepted and not yet entered on the Council's register

The Member must disclose the interest to the meeting and, within 28 days, notify the Monitoring Officer of it for inclusion in the register.

Participation in relation to disclosable pecuniary interests

- 62 A Member with a disclosable pecuniary interest in any matter must:
- (a) not participate in any discussion or vote relating to the matter;
 - (b) withdraw from the room or chamber when it becomes apparent that the matter is being considered at that meeting;
 - (c) not exercise executive functions in relation to that matter; and
 - (d) not take any steps in relation to the matter (except for the purposes of enabling the matter to be dealt with otherwise than by them)

unless he/she has obtained a dispensation from the Audit and Governance Committee.

ATTENDANCE OF MEMBERS

63. Members will sign a register of attendance.

MINUTES

- 64.1 The chairman will move the formal motion "That the minutes of the last meeting be confirmed and signed by the chairman" and there may only be discussion if there is disagreement about their accuracy which will be resolved by a vote in the normal way.
- 64.2 Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of signing of minutes.

PUBLIC PARTICIPATION IN CABINET/COMMITTEE BUSINESS (EXCLUDING LOCAL COMMITTEES)

Petitions

- 65.1 At the start of any ordinary meeting of the Cabinet, a Cabinet Member or a committee any member of the public who is an elector of the Surrey County Council area may present a petition, containing 100 or more signatures, relating to a matter within the terms of reference of the Cabinet, the Cabinet Member or the committee as appropriate. In addition, a local business may present a petition to an ordinary meeting of a local committee. The presentation of a petition on the following business will not be allowed:
- (a) matters which are “confidential” or “exempt” under the Local Government Access to Information Act 1985; and
 - (b) planning applications.
- 65.2 A spokesman for the petitioners may address the Cabinet, Cabinet Member or the committee on the petition for no more than 3 minutes, but thereafter may not speak further. The petition may be referred without discussion to the next appropriate meeting of the Cabinet, Cabinet Member or committee at the discretion of the chairman.
- 65.3 Notice must be given in writing to the Chief Executive at least 14 days before the meeting.
- 65.4 No more than three petitions may be presented at any one meeting of the Cabinet, Cabinet Member or a committee.
- 65.5 The Chief Executive may amalgamate within the first received petition other petitions of like effect on the same subject.
- 65.6 The presentation of a petition on the same or similar topic as one presented in the last six months will not be allowed.

Public question time

- 66.1 At the start of any ordinary meeting of the Cabinet or any committee, any member of the public who is an elector of the Surrey County Council area may ask one question relating to a matter within the Cabinet’s or committee’s terms of reference. In addition, a local business may ask one question at an ordinary meeting of a local committee. Questions will not be allowed on matters which are “confidential” or “exempt” under the Local Government Access to Information Act 1985 or on planning applications. Questions should relate to general policy and not to detail.

- 66.2 Notice must be given in writing or by e-mail to the Chief Executive at least 7 days before the meeting.
- 66.3 The Chief Executive may, having consulted the questioner, reword any question received to bring it into proper form and to secure reasonable brevity. Copies will be circulated to members of the Cabinet or the committee as appropriate.
- 66.4 Questions will be taken in the order in which they are received by the Chief Executive and directed to the Leader, Deputy Leader or appropriate Cabinet Member or committee chairman. Questions will be asked and answered without discussion. Any Member may decline to answer a question, provide a written reply or nominate another Member to answer it on his/her behalf.
- 66.5 Following the initial reply by the Leader, Deputy Leader or Cabinet Member or committee chairman, one supplementary question may be asked by the questioner. The Leader, Deputy Leader or Cabinet Member or committee chairman may decline to answer a supplementary question.
- 66.6 The number of questions which may be asked at any one meeting may not exceed six and the chairman may exercise his/her discretion to regard a single question which has been divided into a number of sub-questions as several different questions within the allowable total number which may be asked at the meeting. The chairman may also disallow questions which are repetitious.
- 66.7 Questions which are received after the first six to be received will be held over to the following meeting, or dealt with in writing at the chairman's discretion.

Public speaking at meetings of the Planning and Regulatory Committee and in relation to Public Rights of Way items at Local Committee

- 67.1 Members of the public and their representatives may address the Planning and Regulatory Committee on any planning applications and all applications relating to public rights of way (PROW) being considered by that committee. This Standing Order (67) also applies to applications relating to public rights of way being considered by local committees.
- 67.2 Speakers must first register their wish to speak by telephone or in writing to the committee manager by 12 noon one working day before a meeting stating on which item(s) they wish to speak.
- 67.3 Only those people who have previously made written representations in response to a planning application will be entitled to speak.

- 67.4 Speakers must declare any financial or personal interest they may have in the application.
- 67.5 Registration of speakers will be on a first come first served basis and speakers will be taken in the order in which they are registered, with the first five registered being entitled to speak. Where more than one person has registered an interest to speak, the subsequent speakers will be entitled to speak first if the first named speaker is not in attendance five minutes before the start of the meeting. Representations can be combined if necessary. A reserve list will also be maintained if necessary.
- 67.6 The time allowed for public speaking will be limited to 15 minutes for objectors and 15 minutes for supporters per item, and to 3 minutes per speaker.
- 67.7 Only if a member of the public or their representative speaks objecting will the applicant/agent be allowed to speak and then only to respond to the points raised by the objectors, and will be limited to 3 minutes for each objector who has spoken.
- 67.8 No additional information may be circulated by speakers at the meeting and they will have no right to speak or question Members or officers once they have made their submission.
- 67.9 Speeches will precede the committee's formal discussion on each application requiring the committee's attention.
- 67.10 The right to speak will only be exercised at the first meeting at which the application is considered and will not normally be the subject of further presentations at any subsequent meeting unless significant changes have taken place after a deferral by the committee.

PUBLIC PARTICIPATION IN LOCAL COMMITTEE BUSINESS

(Excluding matters in relation to consideration of a PROW under which standing order 67 applies).

Petitions

- 68.1 Any member of the public who lives, works or studies in the Surrey County Council area may present a petition, containing 30 or more signatures or at the Chairman's discretion, relating to a matter within the terms of reference of the Local Committee. The presentation of a petition on the following business will not be allowed:
- (a) matters which are "confidential" or "exempt" under the Local Government Access to Information Act 1985;
 - (b) planning applications; and

- (c) matters in relation to a public rights of way under consideration by the local committee.
- 68.2 A spokesman for the petitioners may address the Local Committee on the petition for up to 3 minutes or longer if agreed by the Chairman. Discussion on a petition is at the meeting is at the Chairman's discretion. The petition may be referred to the next appropriate meeting of the Cabinet, Cabinet Member or committee at the discretion of the Chairman.
- 68.3 Notice must be given in writing to the Community Partnership and Committee Officer on behalf of the Chief Executive at least 14 days before the meeting. Alternatively, the petition can be submitted on-line through Surrey County Council's e-petitions website as long as the minimum number of signatures has been reached 14 days before the meeting.
- 68.4 No more than three petitions may be presented at any one meeting of the committee unless agree otherwise by the Chairman.
- 68.5 The Community Partnership and Committee Officer may amalgamate within the first received petition other petitions of like effect on the same subject.
- 68.6 The presentation of a petition on the same or similar topic as one presented in the last six months may only be permitted at the Chairman's discretion.

Public questions and statements

- 69.1 At the start of any ordinary meeting of the Local Committee, any member of the public who lives, works or studies in the Surrey County Council area may ask one question or make a statement relating to a matter within the Local Committee's terms of reference. The Chairman may alternatively permit the question to be asked or statement to be made at the start of an item on the agenda if it relates to that item.
- 69.2 Questions or statements will not be allowed on matters which are "confidential" or "exempt" under the Local Government Access to Information Act 1985 or on planning applications or public rights of way matters under consideration.
- 69.3 Notice of questions or statements must be given in writing or by e-mail to the relevant Community Partnership and Committee Officer with details of the question or statement, by 12 noon four working days before the meeting. If the day in question is a Bank Holiday then notice of questions should be received by 12 noon on the previous working day.

- 69.4 Written questions or statements must be submitted by the deadline set out in section 69.3. The Chairman may alternatively permit questions or statements to be made under relevant agenda items as they consider appropriate during the formal meeting.
- 69.5 The Community Partnership and Committee Officer may, having consulted a questioner, reword any question or statement received to bring it into proper form and to secure reasonable brevity. Copies will be tabled and made available in the meeting room for members of the Local Committee and any member of the public in attendance.
- 69.6 Questions and statements will be taken in the order in which they are received by the Community Partnership and Committee Officer. The provision of answers to questions being asked, any response to statements, and any discussion of the question or statement will be at the discretion of the Chairman.
- 69.7 Following any initial reply to a question, one or more supplementary question/s in relation to the response provided may be asked by the questioner at the discretion of the Chairman. The provision of answers to supplementary questions being asked and any discussion of these questions will be at the discretion of the Chairman.
- 69.8 The total number of questions which may be asked or statements made at any one meeting will be at the discretion of the Chairman. The Chairman may decide that questions or statements can be held over to the following meeting, or dealt with in writing and may disallow questions or statements which are repetitious.
- 69.9 When dealing with any item in which public participation has occurred, the Chairman shall clarify the point at which such public participation has concluded and the Committee's formal discussion and decision making of the item is taking place.

PART 4 OF STANDING ORDERS PROCEEDINGS AND BUSINESS

70. Where the Leader of the Council/Cabinet has submitted a draft plan or strategy to the Council for its consideration and, following consideration of that draft plan or strategy, the Council has any objections to it, the Council must take the action set out in paragraph 71.
71. Before the Council:-
- (a) amends the draft plan or strategy;
 - (b) approves, for the purpose of its submission to the Secretary of State or any Minister of the Crown for his/her approval, any plan or strategy (whether or not in the form of a draft) of which any part is required to be so submitted; or
 - (c) adopts (with or without modification) the plan or strategy,
- it must inform the Leader of any objections which it has to the draft plan or strategy and must give to him/her instructions requiring the Leader/Cabinet to reconsider, in the light of those objections, the draft plan or strategy submitted to it.
72. Where the Council gives instructions in accordance with paragraph 69, it must specify a period of at least five working days beginning on the day after the date on which the Leader receives the instructions within which the Leader may –
- (a) submit a revision of the draft plan or strategy as amended by the Leader/Cabinet (the “revised draft plan or strategy”) with the Cabinet’s reasons for any amendments made to the draft plan or strategy, to the Council for the Council’s consideration; or
 - (b) inform the Council of any disagreement that he/she/the Cabinet has with any of the Council’s objections and the reasons for any such disagreement.
73. When the period specified by the Council, referred to in paragraph 72, has expired, the Council must, when
- (a) amending the draft plan or strategy or, if there is one, the revised draft plan or strategy;

- (b) approving, for the purpose of its submission to the Secretary of State or any Minister of the Crown for his/her approval, any plan or strategy (whether or not in the form of a draft or revised draft) of which any part is required to be so submitted; or
- (c) adopting (with or without modification) the plan or strategy,

take into account any amendments made to the draft plan or strategy that are included in any revised draft plan or strategy, the Leader/Cabinet's reasons for those amendments, any disagreement that the Leader/Cabinet has with any of the Council's objections and the Leader/Cabinet's reasons for that disagreement, which the Leader submitted to the Council, or informed the Council of, within the period specified.

74. Subject to paragraph 78 where, before 8 February in any financial year, the Council's Cabinet submits to the Council for its consideration in relation to the following financial year –

- (a) estimates of the amounts to be aggregated in making a calculation (whether originally or by way of substitute) in accordance with any of sections 32 to 37 or 43 to 49 of the Local Government Finance Act 1992;
- (b) estimates of other amounts to be used for the purposes of such a calculation;
- (c) estimates of such a calculation; or
- (d) amounts required to be stated in a precept under Chapter IV of Part 1 of the Local Government Finance Act 1992,

and following consideration of those estimates or amounts the Council has any objections to them, it must take the action set out in paragraph 75.

75. Before the Council makes a calculation (whether originally or by way of substitute) in accordance with any of the sections referred to in paragraph 5(a), or issues a precept under Chapter IV or Part 1 of the Local Government Finance Act 1992, it must inform the Leader of any objections which it has to the Leader's/Cabinet's estimates or amounts and must give to him instructions requiring the Cabinet to reconsider, in the light of those objections, those estimates and amounts in accordance with the Council's requirements.

76. Where the Council gives instructions in accordance with paragraph 75 it must specify a period of at least five working days beginning on the day after the date on which the Leader receives the instructions within which the Leader may –

- (a) submit a revision of the estimates or amounts as amended by the Leader/Cabinet (“revised estimates or amounts”) which have been reconsidered in accordance with the Council’s requirements, with the reasons for any amendments made to the estimates or amounts, to the Council for the Council’s consideration; or
 - (b) inform the Council of any disagreement that he/she/the Cabinet has with any of the Council’s objections and the reasons for any such disagreement.
77. When the period specified by the Council, referred to in paragraph 76, has expired, the Council must, when making calculations (whether originally or by way of substitute) in accordance with the sections referred to in paragraph 5(a), or issuing a precept under Chapter IV of Part 1 of the Local Government Finance Act 1992, take into account:-
- (a) any amendments to the estimates or amounts that are included in any revised estimates or amounts;
 - (b) the reasons for those amendments;
 - (c) any disagreement that the Leader/Cabinet has with any of the Council’s objections; and
 - (d) the Leader’s/Cabinet’s reasons for that disagreement, which the Leader submitted to the Council, or informed the Council of, within the period specified.
78. Paragraphs 74 to 77 shall not apply in relation to:
- (a) calculations or substitute calculations which an authority is required to make in accordance with section 52I, 52J, 52T or 52U of the Local Government Finance Act 1992; and
 - (b) amounts stated in a precept issued to give effect to calculations or substitute calculations made in accordance with section 52J or 52U of that Act.
79. In this Standing Order
- “Cabinet” and “Leader” have the same meaning as “Executive” and “Leader” in Part II of the Local Government Act 2000; and
- “plan or strategy” and “working day” have the same meaning as in the Local Authorities (Standing Orders) (England) Regulations 2001.

**PART 5 OF STANDING ORDERS
APPOINTMENT AND DISMISSAL OF STAFF**

80. Where the authority propose to appoint a chief officer and it is not proposed that the appointment be made exclusively from among their existing officers, they shall—
- (a) draw up a statement specifying—
 - (i) the duties of the officer concerned, and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
 - (b) make arrangements 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) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.
81. Where a post has been advertised as provided in paragraph 80(b), the authority shall—
- (a) interview all qualified applicants for the post, or
 - (b) select a short list of such qualified applicants and interview those included on the short list.
- (2) Where no qualified person has applied, the authority shall make further arrangements for advertisement in accordance with paragraph 80(b).
82. Subject to paragraphs 83 and 87 below, the function of appointment and dismissal of, and taking disciplinary action against, a member of staff of the Council must be discharged by the Head of Paid Service or by an officer nominated by him.
83. Paragraph 82 shall not apply to the appointment or dismissal of, or disciplinary action against –
- (a) the officer designated as the Head of the Council's Paid Service;
 - (b) a statutory chief officer within the meaning of section 2(6) of the Local Government & Housing Act 1989 (politically restricted posts);

- (c) a non-statutory chief officer within the meaning of section 2(7) of the 1989 Act;
- (d) a deputy chief officer within the meaning of Section 2(8) of the 1989 Act; or
- (e) a person appointed in pursuance of Section 9 of the 1989 Act (Assistants to Political Groups).

84.1 Where a committee, sub-committee or officer is discharging, on behalf of the Council, the function of the appointment or dismissal of an officer designated as the Head of the Council's Paid Service, the Council must approve that appointment before an offer of appointment is made to him or, as the case may be, must approve that dismissal before notice of dismissal is given to him.

84.2 Where a committee or sub-committee of the Council is discharging, on behalf of the Council, the function of the appointment or dismissal of any officer referred to in subparagraph (a), (b), (c) or (d) of paragraph 83 above, at least one member of the Cabinet must be a member of that committee or sub-committee.

85.1 In this paragraph "appointer" means, in relation to the appointment of a person as an officer of the Council, the Council or, where a committee, or sub-committee or officer is discharging the function of appointment on behalf of the Council, that committee, sub-committee or officer, as the case may be.

85.2 An offer of an appointment as an officer referred to in subparagraph (a), (b), (c) or (d) of paragraph 83 above must not be made by the appointer until –

- (a) the appointer has notified the proper officer of the name of the person to whom the appointer wishes to make the offer and any other particulars which the appointer considers are relevant to the appointment;
- (b) the proper officer has notified every member of the Cabinet of the Council of –
 - (i) the name of the person to whom the appointer wishes to make the offer;
 - (ii) any other particulars relevant to the appointment which the appointer has notified to the proper officer; and

(iii) the period within which any objection to the making of the offer is to be made by the Leader on behalf of the Cabinet to the proper officer; and

(c) either –

(i) the Leader has, within the period specified in the notice under sub-paragraph (b)(iii), notified the appointer that neither he nor any other member of the Cabinet has any objection to the making of the offer;

(ii) the proper officer has notified the appointer that no objection was received by him within that period from the Leader; or

(iii) the appointer is satisfied that any objection received from the Leader within that period is not material or is not well-founded.

86.1 In this paragraph, “dismitter” means, in relation to the dismissal of an officer of the Council, the Council or, where a committee, sub-committee or another officer is discharging the function of dismissal on behalf of the Council, that committee, sub-committee or other officer, as the case may be.

86.2 Notice of the dismissal of an officer referred to in sub-paragraph (a), (b), (c) or (d) of paragraph 83 above must not be given by the dismitter until –

(a) the dismitter has notified the proper officer of the name of the person who the dismitter wishes to dismiss and any other particulars which the dismitter considers are relevant to the dismissal;

(b) the proper officer has notified every member of the Cabinet of the Council of –

(i) the name of the person who the dismitter wishes to dismiss;

(ii) any other particulars relevant to the dismissal which the dismitter has notified to the proper officer; and

(iii) the period within which any objection to the dismissal is to be made by the Leader on behalf of the Cabinet to the proper officer; and

(c) either –

- (i) the Leader has, within the period specified in the notice under sub paragraph (b)(iii), notified the dismitter that neither he/she nor any other member of the Cabinet has any objection to the dismissal;
 - (ii) the proper officer has notified the dismitter that no objection was received by him within that period from the Leader; or
 - (iii) the dismitter is satisfied that any objection received from the Leader within that period is not material or is not well-founded.
87. Nothing in paragraph 82 shall prevent a person from serving as a member of any committee or sub-committee established by the Council to consider an appeal by –
- (a) another person against any decision relating to the appointment of that person as a member of staff of the Council; or
 - (b) a member of staff of the Council against any decision relating to the dismissal of, or taking disciplinary action against, that member of staff.

Disciplinary Action

88. In paragraph 89, “Chief Finance Officer”, “disciplinary action”, “Head of Paid Service” and “Monitoring Officer”, have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001 and
- “designated independent person” has the same meaning as in regulation 7 of those Regulations.
89. No disciplinary action in respect of the Head of the Council’s Paid Service, its Monitoring Officer or its Chief Finance Officer, except action described in paragraph 90, may be taken by the Council, or by a committee, a sub-committee, a joint committee on which the Council is represented or any other person acting on behalf of the Council, other than in accordance with a recommendation in a report made by a designated independent person under regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001 (investigation of alleged misconduct).
90. The action mentioned in paragraph 89 is suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension must be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

**PART 6 OF STANDING ORDERS
AUTHENTICATION OF DOCUMENTS**

91. The Council's common seal shall be kept by the Head of Legal and Democratic Services in a secure place at County Hall.
92. All documents which require to be sealed by the Council shall be witnessed by the Head of Legal and Democratic Services or such of his/her senior officers as he/she shall formally nominate for the purposes of this Standing Order. Any document sealed and so witnessed shall be deemed to have been duly and validly executed on behalf of the Council.
93. All documents so executed and witnessed shall give effect to decisions of the Council, the Cabinet, individual Member or other committee or officer of the Council acting under delegated powers and shall be recorded in a register which shall be available for inspection by Members.
94. The Head of Legal and Democratic Services (generally) and all Chief Officers (within their specific delegated authority) are authorised to act as the Proper Officer for the purposes of Section 234 of the Local Government Act 1972 for the signature of any notice, order or document which the Council is authorised or required to give, make or issue.