

## **Section 4B – Standing Orders relating to the Executive, the [York Health and Wellbeing Board Joint Standards Committee](#), Policy and Scrutiny Committees and other Non-executive Committees and Sub-Committees and Groups Specified in the Council’s Constitution**

### **1 Application**

- 1.1 The preceding Standing Orders will apply to the bodies listed above.
- 14.7 Public Participation Rights – requirements placed on Speakers
  - 37 Exclusion of Public
  - 38 Misconduct by Member
  - 40 Filming and Use of Social Media

### **2 Powers and Duties**

The powers and duties of the above bodies are set out or referred to in the Council’s Constitution.

### **3 Minutes**

- 3.1 All minutes of all bodies which require confirmation by Council will be recorded and reported to the next ordinary meeting of the Council.
- 3.2 Copies of the Minutes of all bodies requiring confirmation will be submitted to Members on the day on which the notice convening the meeting is sent to Members. In cases where the date of a meeting is so late in the cycle that the minutes are not available to be included in the published Council Summons, they will be sent to Members as soon as practicable. The meetings to which this applies will be specified on the notice convening the meeting.

### **4 Quorum**

- 4.1 Except where it may legally be authorised or ordered by the Council
- (a) The Executive will not transact any business unless at least four members are present.

- (b) The Joint Standards Committee and any sub-committee of the Joint Standards Committee will not transact any business unless at least four and at least three members are present respectively and, if Parish Council business is being transacted, a Parish Council Member is present.
- (c) The Licensing Committees, any Sub-Committees, and Working Groups specified in the Council's Constitution will not transact any business unless at least three members are present.
- (d) Customer & Corporate Services Scrutiny Management Committee and Scrutiny Committees (including Ad-Hoc) will not transact any business unless at least four and three members are present respectively.
- (e) Any other Committee of the Council, including Planning & Planning Area Sub-Committee will not transact any business unless at least four members are present.

## **5 Special Meetings and Agenda Items**

- 5.1 A special meeting of any of the above bodies may be called at any time, either by the Chair or at the written request of at least one third of its membership. The conduct of business at a special meeting will be in accordance with Section 100 of the Local Government Act 1972.
- 5.2 Any member of Customer & Corporate Services Scrutiny Management Committee or a sub-committee of those bodies may require the inclusion on the agenda of that body any matter which is relevant to the functions of that body and any such matter shall be discussed at the meeting of that body.

## **6 Rules of Debate**

The rules of debate for Council, as set out in Standing Order 26, will apply to the above bodies, with the following exceptions:-

## 6.1 **General**

6.1.1 Members are not required to stand to speak.

## 6.2 **Voting**

6.2.1 Voting at a meeting will be by show of hands. Any Member may require their vote to be recorded in the minutes.

6.2.2 In the event of any vote being equally divided the Chair of any meeting of a committee will have a second or casting vote.

6.2.3 Details of all motions and amendments that are lost will be duly recorded in the published minutes of the meeting.

## 6.3 **Motions and Amendments to Motions**

6.1.1 Notice is not required of motions.

6.1.2 Motions must concern an item of business on the agenda.

6.1.3 In order to be admissible, motions and amendments to motions must be moved by one Member and seconded by another before they are discussed or put to the meeting.

## 6.4 **Speaking Rights**

6.4.1 At meetings of Planning Committee and its area sub-committee, members of the public may speak on individual planning applications which the Committee or Sub-Committee is being invited to determine, in accordance with the procedures set out in the Council's Public Participation Scheme.

6.4.2 At other meetings the following speaking rights shall apply.

All public meetings will have a standing item on the agenda regarding public participation. Members of the public may register to speak on an item on the agenda or an issue within the meeting's remit, by telephoning Democratic Services by 5:00 pm on the working day preceding the meeting. Speakers will have a maximum of 3 minutes to speak and may subsequently be asked questions by

Members. There is no public right of reply following the decision of the meeting.

6.4.3 The contents of this Standing Order shall be publicised generally, in correspondence with applicants and the public, and on all relevant agendas.

## 6.5 **Substitutes**

6.5.1 The Council may appoint named substitutes for Member bodies as follows:-

(a) For the Planning Committee up to four named substitutes shall be allowed for each of the political Groups. For other Member bodies up to three named substitutes shall be allowed for each political Group. Independent Councillors may also be appointed to act as named substitutes for other Independent Councillors within this rule.

(b) Any Member of the Executive may substitute for another Member of the Executive who is (either individually or as part of a Committee of the Executive) unavailable.

(c) Substitutes under paragraph (a) will have a specified priority of order. A Member who is not available to attend must firstly approach the first named substitute and only if that Member is not available (or has already agreed to substitute for another Member) will the second named substitute be approached. Only if the second named substitute is not available to attend (or has already agreed to substitute for another Member) will the third named substitute be approached.

i) “Where no named substitute is available a political group may instruct the Chief Executive or the Monitoring Officer to replace for the duration of a particular meeting, an existing Member with another substitute identified by the political group [provided always that this provision 6.5.1 \(c\) \(i\) will not apply to](#)

Planning, Licensing and Regulatory or Joint Standards Committees or any sub-committees thereof .”

- (d) Substitutes under paragraph (b) will have a specified priority of order and will be approached in the same manner as that specified in (c) above.
- (e) The Council may appoint a Member of the Executive as the Deputy Executive Leader who will act for the Executive Leader in his or her absence or unavailability.
- (f) If a meeting which is attended by a substitute is adjourned, then the substitute will have the right to attend on the adjourned date in place of the original Member. If the substitute is unable to attend, then the original Member or another named substitute may attend.