

STANDARDS COMMITTEE PROCEDURE RULES

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Reference:

Schedule 12, Local Government Act 1972

Sections 8 and 20, Local Government and Housing Act 1989

Local Government Act 2000

DETR Guidance on New Council Constitutions - Modular Constitutions

Local Government and Public Involvement in Health Act 2007

The Standards Committee (England) Regulations 2008

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Schedule 12, Local Government Act 1972

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DETR Guidance on New Council Constitutions - Modular Constitutions

Local Government and Public Involvement in Health Act 2007

The Standards Committee (England) Regulations 2008

1. To which Committees will these rules apply?

These rules will apply to the Standards Committee of the Council.

2. Appointment of sub committees

- (a) The Standards Committee may appoint sub committees for the purposes of discharging its functions and will appoint sub committees for the purposes of discharging functions specified under Section 57A (Initial Assessment) and 57B (Review) of the Local Government Act 2000.
- (b) The Chairs of sub committees shall be appointed by the committee and shall be Independent Members where the sub committees discharge functions under Section 57A and 57B of the Local Government Act 2000 and Regulations 17 to 20 of the Standards Committee (England) Regulations 2008 (Hearings Panel).
- (c) Where a sub committee is appointed (except a sub committee appointed by the Standards Committee to discharge functions under Sections 57A and 57B of the Local Government Act 2000 and functions under Regulations 17 to 20 of the Standards Committee (England) Regulations 2008) the Committee Procedure Rules shall apply to the sub committee.
- (d) Where a sub committee is appointed to discharge functions under Sections 57A and 57B of the Local Government Act 2000 and functions under Regulations 17 to 20 of the Standards Committee (England) Regulations 2008 the procedures for local investigation and determination of allegations of breaches of the Code of Conduct for Members shall apply.

3. Who may sit on the Standards Committee?

All Councillors may be members of the Standards Committee subject to the following rule:-

- (i) The Standards Committee can include one Cabinet Member but not the Leader.

4. Meetings of the Standards Committee

There shall be at least 5 ordinary meetings of the Standards Committee in each year in accordance with the programme of meetings agreed by the Council. In addition, extraordinary meetings may be called from time to time as and when

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appropriate. A committee meeting may be called by the Chair of the Standards Committee or by any three members of the committee.

5. Quorum

- (a) The quorum for the Standards Committee shall be three elected Members and one Independent member, and a Parish Council representative must be present when matters relating to Parish Councils or their members are being considered .
- (b) The quorum for a sub committee of the Standards Committee shall be three members including one elected Member together with one Independent Member, and also a Parish Council representative when cases involving a parish councillor are being considered

6. Voting

- (a) All decisions of the committee shall be arrived at by a majority of votes taken by a show of hands. The person chairing the meeting shall have a second or casting vote in the case of an equality of votes.
- (b) Four members may request that the names of those voting for and against any decision of the committee and those abstaining shall be recorded.
- (c) Any member may request that their vote (for or against) or their abstention shall be recorded.

7. Motions and Amendments

- (a) A motion or an amendment shall not be considered unless it has been proposed and seconded.
- (b) An amendment shall be relevant to the motion on which it is moved. Only one amendment shall be moved and discussed at a time and no other amendment shall be moved until the original amendment has been voted on.
- (c) A motion or an amendment may be either altered or withdrawn by the mover with the consent of the committee.

8. Disorderly Conduct

If any Member or member of the public persistently disregards the ruling of the person chairing the meeting by behaving improperly or offensively or deliberately obstructs the business of the meeting, the person chairing the meeting may direct that person or those persons leave the meeting or that the meeting be adjourned for a specified period.

9. Who chairs the Standards Committee?

- (a) The Chair of the Standards Committee will be an Independent member appointed by the Council.
- (b) The Chair will preside at each meeting and in his/her absence another Independent member appointed at the meeting will preside.
- (c) The Chair of a sub committee of the Standards Committee shall be an Independent member appointed by the Committee.
- (d) An elected Member shall be appointed by the Standards Committee for the purpose of moving any recommendations to the Council at a Council meeting.

10. Agenda items

- (a) Any member of the Council shall be entitled to give notice to the Head of Democratic and Partnership Services that he/she wishes an item relevant to the functions of the committee to be included on the agenda for the next available meeting of the committee. On receipt of such a request the Head of Democratic and Partnership Services will ensure that it is included on the next available agenda and the Member will be allowed to address the meeting.
- (b) The Head of Democratic and Partnership Services will include on the agenda of the appropriate committee items which:-
 - (i) have been agreed by the committee at an earlier meeting
 - (ii) have been requested by the chair of the committee

- (iii) have been agreed by the chair following a request from individual members (paragraph (iv) below would continue to be available to members where the chair did not agree to a request)
- (iv) have been requested by individual members under Rule 12(a) above
- (v) have been notified by Chief Officers.

11. Procedure at Standards Committee meetings

- (a) The Standards Committee shall consider the following business:
 - (i) declarations of interest;
 - (ii) consideration of whether the public should be excluded for any item of business;
 - (iii) minutes of the last meeting;
 - (iv) the business otherwise set out on the agenda for the meeting.

12. Attendance by Members of the Council

- (a) It be at the discretion of the Chair to allow a Member of the Council to address the meeting where a request to do so is made to the Chair prior to the commencement of the meeting.
- (b) A Ward Councillor shall be entitled to address the meeting for up to five minutes where prior notice has been given to the Chair and the item is one which has been specifically identified on the report as affecting that Member's Ward.