



# **BUCKINGHAMSHIRE AND MILTON KEYNES FIRE AUTHORITY**

## **STANDING ORDERS FOR THE AUTHORITY AND ITS COMMITTEES**

JUNE 2021

**CONTENTS**  
**STANDING ORDERS TO APPLY TO THE AUTHORITY**

	PAGE
SOA 1 MEETINGS OF THE FIRE AUTHORITY	4
SOA 2 QUORUM	4
SOA 3 ORDER OF BUSINESS, AGENDA PROCEDURE AND SUMMONS	5
SOA 4 ELECTION OF AND POWERS OF THE CHAIRMAN	6
SOA 5 MINUTES	6
SOA 6 PETITIONS	6
SOA 7 QUESTIONS AND RIGHTS OF ACCESS AT AUTHORITY MEETINGS	7
SOA 8 NOTICES OF MOTION	9
SOA 9 MOTIONS WHICH MAY BE MOVED WITHOUT NOTICE	11
SOA 10 DISORDERLY CONDUCT	12
SOA 11 VOTING	12
SOA 12 SUBSTITUTION	13
SOA 13 EXERCISE OF DELEGATED POWERS	14
SOA 14 INSPECTION OF DOCUMENTS	14
SOA 15 COMMON SEAL AND SIGNATURE OF DOCUMENTS	14
SOA 16 DISCLOSURE OF INFORMATION BY MEMBERS	14
SOA 17 INTERESTS OF MEMBERS AND OFFICERS IN CONTRACTS AND OTHER MATTERS	15
SOA 18 INSPECTION OF LANDS OR PREMISES	15
SOA 19 CANDIDATES FOR APPOINTMENT	15
SOA 20 SUSPENSION, VARIATION AND REVOCATION OF STANDING ORDERS	16
SOA 21 INTERPRETATION	16
SOA 22 FINANCIAL REGULATIONS	16

## **STANDING ORDERS TO APPLY TO COMMITTEES**

	PAGE	
SOC 1	STANDING ORDERS APPLYING TO COMMITTEES	18
SOC 2	STANDING COMMITTEES	18
SOC 3	APPOINTMENT OF COMMITTEES	18
SOC 4	ELECTION OF CHAIRMAN OF COMMITTEES AND APPOINTMENT OF VICE-CHAIRMAN	19
SOC 5	SPECIAL MEETINGS OF COMMITTEES	19
SOC 6	INSPECTION OF COMMITTEE DOCUMENTS	20
SOC 7	CONSIDERATION OF COMMITTEE REPORTS	20

## **STANDING ORDERS TO APPLY RULES OF DEBATE**

	PAGE	
D 1	RESPECT FOR THE CHAIRMAN	21
D 2	CHAIRMAN'S DECISIONS TO BE FINAL	21
D 3	POINTS OF ORDER etc.	21
D 4	SPEECHES TO BE RELEVANT	21
D 5	TIME LIMIT ON SPEECHES	21
D 6	MOTIONS AND AMENDMENTS	21
D 7	SECONDER MAY RESERVE SPEECH	21
D 8	ALTERATION OF MOTION	21
D 9	WITHDRAWAL OF MOTION OR AMENDMENT	22
D 10	RIGHT TO SPEAK	22
D 11	NOTICES OF MOTION - ORDER OF DEBATE	22
D 12	AMENDMENTS	22
D 13	MOTIONS THAT MAY BE MOVED DURING DEBATE	23
D 14	CLOSURE MOTIONS	23
D 15	RIGHT OF REPLY	24
D 16	MOTIONS AFFECTING PERSONS EMPLOYED BY THE AUTHORITY	25

# STANDING ORDERS TO APPLY TO THE AUTHORITY

## SOA 1 MEETINGS OF THE FIRE AUTHORITY

### Date of Annual Meeting of the Authority

- 1 *The Annual Meeting of the Authority shall take place in June.*

### Dates of other Meetings of the Authority

- 2 Ordinary Meetings of the Authority shall normally be held in the months of September, December and February.

### Calling Extraordinary Meetings by the Chairman

- 3 The Chairman of the Authority may call an Extraordinary Meeting of the Authority at any time, declaring the business to be transacted.

### Requisitioning an Extraordinary Meeting

- 4 If the Chairman refuses to call an Extraordinary Meeting of the Authority, after receiving a requisition for that purpose signed by three Members of the Authority, or if the Chairman does not call an Extraordinary Meeting within seven days of receiving a requisition, then any three Members, upon that refusal, may immediately call an Extraordinary Meeting of the Authority. Such requisitions must declare the business to be transacted.
- 5 Where the Chairman has received a requisition for an Extraordinary Meeting, that Meeting shall be held within fifteen working days of the date of the receipt of the requisition unless the meeting would fall in the month of August in which case the Meeting shall be held within twenty-five working days of the receipt of the requisition.

### Location and Times of Authority Meetings

- 6 All Meetings of the Authority shall be held at such a place and at such times as the Authority may determine.

### Alteration of Location and Times of Authority Meetings

- 7 If on any occasion the place or time arranged for an Authority meeting is, in the opinion of the Chairman of the Authority, unsuitable the Meeting shall be held at such other time or place as may be fixed by the Chairman.

## SOA 2 QUORUM

- 1 The Quorum is one-third of the whole number of Members of the Authority with at least one representative from each constituent authority.

2. If during any Meeting of the Authority the number of Members present does not form a Quorum, then the Chairman shall adjourn the Meeting and arrange another date and time, or if no such date and time are fixed by the Chairman any unfinished business before the Authority shall be considered at the next Ordinary Meeting of the Authority.
3. Where these Standing Orders apply to committee, sub-committee and Panel meetings, the quorum will be one third of the membership, or 4 Members, whichever is the greater, except where the committee, sub-committee, or panel comprises either 5 or less Members, when the quorum will be the nearest whole number of Members to, but not less than, one half of the membership.

### **SOA 3 ORDER OF BUSINESS, AGENDA PROCEDURE AND SUMMONS**

1. At the Annual Meeting of the Authority or when a vacancy exists for the post to elect a Chairman and consider the election of a Vice-Chairman.
2. To elect a Member to preside if the Chairman and Vice-Chairman are both absent.
3. To receive any apologies for absence and any changes in Membership since the last meeting of the Authority.
4. To consider and to amend or approve, and the Chairman to sign as a correct record the approved Minutes of the previous meeting.
5. Members to declare any disclosable pecuniary interests if these have not been entered onto the Authority's register (where the matter is not a 'sensitive interest') they may have in a particular item to be considered in accordance with section 31 of the Localism Act 2011; and officers to declare any interests they may have in a particular item to be considered in accordance with section 117 of the Local Government Act 1972.
6. The Chairman to invite officers to provide verbal updates on any actions noted in the Minutes from the previous meeting.
7. To receive the Chairman's announcements.
8. To receive petitions in accordance with Standing Order SOA6.
9. To receive questions in accordance with Standing Order SOA7.
10. To dispose of business (if any) remaining from the last meeting.
11. To consider notices of motion in the order in which they were received.
12. To consider statutory and other reports of officers of the Authority.
13. To authorise the sealing of documents.
14. To consider other business, specified on the Agenda.

15. The Order of business may be varied at the meeting at the discretion of the Chairman but such a variation shall not displace business falling under items 1,2,3,4,5.
16. No business may be transacted at a Meeting of the Authority or its Committees which is not specified in the agenda for the Meeting unless the Chairman of the Meeting agrees that the item should be considered as a matter of urgency and the reason for urgency shall be specified in the Minutes.
17. At least five clear working days before a meeting of the Authority or any Committee a summons to attend the Meeting, in the name of the Monitoring Officer of the Authority and together with an agenda specifying the business to be transacted, shall be left at or sent by post to the usual place of residence (or such other address as the Member may specify) or, where a Member has given consent for the summons to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn) sending it in electronic form to that address, of every Member of the body in question, provided that want of service of the summons shall not affect validity of the Meeting.

#### **SOA 4 ELECTION OF AND POWERS OF THE CHAIRMAN**

1. Any power or duty assigned to the Chairman relating to the conduct of a Meeting may in the Chairman's absence be exercised by the person presiding at the Meeting.
2. The Procedure for the Election of Chairman shall be:
  - (a) If the Chairman of the Authority wishes to seek nomination to the post of Chairman for a further year, he/she should resign immediately before the commencement of the Annual meeting to allow the Vice-Chairman to preside over the Election.
  - (b) In the absence of the Vice-Chairman, the Monitoring Officer or an officer nominated by him or her will preside.
  - (c) Any Member may cast their vote at any time before the vote has finally been declared.

#### **SOA 5 MINUTES**

- 1 As soon as the Minutes have been read, or taken as read, the Chairman shall put the question that the Minutes of the last Meeting of the Authority be signed as a correct record.
- 2 The Minutes of any Meeting of the Authority shall be submitted to the next suitable Meeting of the Authority provided that they do not require submission to an Extraordinary Meeting.

#### **Accuracy of Minutes**

- 3 No motion or discussion shall take place upon the Minutes, except upon their accuracy, and any question of their accuracy shall be raised by moving a formal amendment to the Minutes.

### **Signing Minutes**

- 4 If no such question is raised, or if it is raised then as soon as it is disposed of, the Chairman shall sign the Minutes.

## **SOA 6 PETITIONS**

- 1 Any Member of the constituent Councils, a District Council, or Parish Council, falling within the Fire Authority area may Petition the Fire Authority.
- 2 The substance of a petition presented at a Meeting of the Authority shall be summarised, in not more than four minutes, by the Member of the Council who presents it. If the petition does not refer to a matter before the Authority it shall be referred without debate to the appropriate Committee.
- 3 If the petition refers to a matter before the Authority it will be available for Members to inspect during the course of the Meeting.

### **Petitions to Committees**

- 4 If a petition is referred to a Committee for further consideration, the Member presenting the petition may attend the Meeting concerned to present and speak to the petition.
5. If, alternatively, a petition is first presented by a Member of the Councils listed in Standing Order SOA 6(1) at a Meeting of a Committee of the Authority, that Member may attend the Meeting concerned to present and summarise the petition.

## **SOA 7 QUESTIONS AND RIGHTS OF ACCESS AT AUTHORITY MEETINGS**

### **Questions**

- 1 Every question asked under this Standing Order shall be put when the item "Questions" is reached on the Agenda.
- 2 Every question shall be put and answered without discussion but the person to whom a question has been put may decline to answer, or if convenient, arrange for a written answer to be sent to the questioner and circulated to Members of the Authority.
- 3 One supplementary question from the same questioner, provided it introduces no new matter, may be asked with the consent of the Chairman of the Meeting.
- 4 Members of the Authority, or its constituent councils, District, or Parish Councils may submit written questions prior to the Meeting to allow their full and proper consideration. Such questions shall be received by the Monitoring Officer to the Authority, *in writing*, at least two clear working days before the day of the

JUNE 2021

Meeting of the Authority or the Committee.

### **Other Questions at Authority Meetings**

- 5 A Member of the Authority may ask the Chairman of a Committee any question on the report of a Committee before the Authority if the question is put before the Authority's consideration of the relevant part of the report is finished.
- 6 Where a written question is addressed to the Chairman of the Authority or its Committees and the desired information is contained in any of the Authority's publications, it shall be sufficient reply to indicate the publication and arrange for a copy to be sent to the questioner.
- 7 Where the reply to any question cannot be given orally at the Meeting, it shall be sufficient if a reply is sent to the questioner within fifteen days of the Meeting and a copy is circulated to all Members of the Authority at the same time.
- 8 A question may be answered by the Chairman of the appropriate Committee or by such other Member as the Chairman of the Meeting may decide.
- 9 Where a Member is unable through absence to put a question asked under paragraph 4 of this Standing Order when it is reached on the agenda, such question shall be treated as withdrawn. However, that Member may then write to the Monitoring Officer to the Authority and request an answer.

### **Rights of Access**

- 10 Meetings of the Authority or any of its Committees shall be open to the public except when dealing with exempt or prohibited information as specified in Standing Order SOA 7(11) and (12).

### **Exclusion of Public - Exempt Information**

- 11 The public may be excluded from the whole or part of a Meeting of the Authority or one of its Committees on the grounds that exempt information as defined under section 100A(4) of the Local Government Act 1972 (and as set out below on page 25) might be disclosed (unless the Meeting agrees that the public interest in disclosing the information outweighs the reasons for the information not being disclosed) and the following motion shall be moved:

"Pursuant to Section 100A(4) of the Local Government Act 1972 the public be excluded from the Meeting for the following item(s) of business on the ground(s) that it (they) involve(s) the likely disclosure of exempt information as defined in the paragraph(s) [ ] of Part 1 of Schedule 12A of the said Act and the public interest in maintaining the exemption outweighs the public interest in disclosing the information".

### **Prohibited Disclosure**

- 12 The public must be excluded from any Meeting of the Authority, or any of its Committees, when any information would be disclosed to them which:
  - (a) has been provided by a Government Department on terms which forbid



disclosure, or

(b) would be prohibited by law or by an order of the Court.

- 13 The Monitoring Officer to the Authority shall determine which reports or parts of reports are unlikely to be taken in public and shall withhold such papers from public circulation.

### **Rights to Speak - Members**

- 14 A Member of the constituent Councils who is not a Member of the Authority may attend Meetings of the Authority or its Committees to make a statement on behalf of the Member's constituents in the case of any item under discussion which directly affects the Member's division, with the prior consent of the Chairman of the Meeting which will not be unreasonably withheld. The Member's statement will not last longer than four minutes.
- 15 Where the Chairman of a Committee has agreed to extend an invitation to all Members of the Authority to attend when major matters of policy are being considered, a Member who is not a member of the Committee may attend and speak at such Meetings at the invitation of the Chairman of that Committee.

### **Adjournment and Rights to Speak - Public**

- 16 The Authority may, when members of the public are present, adjourn a Meeting to hear the views of the public on a particular agenda item. The proposal to adjourn must be moved by a Member, seconded and agreed by a majority of the Members present and voting.
- 17 Prior to inviting the public to speak, the Chairman should advise that they:
- (a) raise their hands to indicate their wish to speak at the invitation of the Chairman,
  - (b) speak for no more than four minutes,
  - (c) should only speak once unless the Chairman agrees otherwise.
- 18 The Chairman should resume the Meeting as soon as possible, with the agreement of the other Members present.
- 19 Adjournments do not form part of the Meeting and should be confined to times when the views of the public need to be heard.

## **SOA 8 NOTICES OF MOTION**

- 1 Except for Motions under Standing Order SOA 9 which may be moved without notice, every notice of motion shall be given *in writing*, signed by the Member or Members of the Fire Authority giving the notice, and delivered at least twelve clear days, excluding Sundays and Bank Holidays before the next meeting of the Authority, at the office of the Monitoring Officer to the Authority, by whom it shall be dated and entered in a book which shall be open to the inspection of every Member of the Authority during normal office hours.

JUNE 2021

## **Motions to be Set Out in Summons**

- 2 The Monitoring Officer to the Authority shall set out in the agenda for every Meeting of the Authority all notices of motion given in the order in which they have been received, unless a Member when giving notice has stated in writing that the motion will be moved at some later meeting or the motion has since been withdrawn in writing.

## **Scope of Motions**

- 3 Every motion shall be relevant to some question over which the Fire Authority has power, or which affects the Authority.
- 4 If it appears to the Monitoring Officer to the Authority that a notice of motion is not in order, or is framed in improper or unbecoming language, the Monitoring Officer shall take the direction of the Chairman as to whether and in what form it shall be placed on the agenda, and the decision of the Chairman, after consultation if possible with the giver of the notice, shall be final.

## **Motions not Moved**

- 5 Subject to Standing Order SOA 8(6) a Member giving notice of motion under Standing Order SOA 8(1) shall move the motion, and if not moved (unless postponed by consent of the Authority) the motion will be treated as abandoned and shall not be moved without fresh notice.
- 6 Where a Member is unable through absence to move a motion, that Member may, in writing, and with the consent of the Chairman, assign the right to move the motion to another Member.

## **References of Motion to Committee**

- 7 Motions may, upon being formally moved and seconded, be referred without discussion to a Committee of the Authority as the Authority may determine for consideration and report, unless Standing Order SOA 8(2) is invoked. The Chairman may, if it is convenient and conducive to the despatch of business, allow any motion to be dealt with at the Meeting at which it is brought forward.
- 8 A motion forwarded to a Committee for report, unless the Committee considers that further time or investigation is required, and reports back to the next Meeting of the Authority to this effect, such report shall be made to the next Ordinary Meeting of the Authority as to whether or not the motion should be adopted or give such other advice as the Committee wishes to offer the Authority.
- 9 If the Chairman does not exercise the power given under Standing Order SOA 8(7), the Member moving the motion shall not speak until the report on the motion comes before the Authority.

## **Proposer of Motion May Attend Committee of Which S/He is Not a Member.**

- 10 A Member(s) who has proposed a motion which has been referred to a Committee of which s/he is not a member shall be given notice of the meeting at which it is proposed to consider the motion, and the Member shall have the opportunity of speaking but not voting when the motion is under consideration or have the right to place a letter supporting the motion before the Committee. Where a notice of motion has been proposed by more than one Member only one Member may speak on behalf of the proposers.

## **Rescission of Preceding Resolution**

- 11 No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been disposed of within the preceding six months, shall be proposed unless a recommendation is made by a Committee or a notice has been given bearing the names of at least five Members of the Authority.
- 12 Once any motion under Standing Order SOA 8(11) has been disposed of by the Authority it shall not be open to any Member to propose a similar motion within a further period of six months, provided that this paragraph shall not apply to motions moved in pursuance of the reports or recommendations of a Committee.
- 13 A Committee which, acting under delegated powers, has reached a decision on any matter shall not consider a motion to rescind that decision (or a motion or amendment to the same effect as one which has been disposed of) within six months unless such proposed action appears on the agenda for the Meeting.

## **SOA 9 MOTIONS WHICH MAY BE MOVED WITHOUT NOTICE**

The following motions may be moved without notice:

- (a) Election of a Chairman for the meeting or remainder of the meeting.
- (b) Motions relating to the accuracy of the Minutes.
- (c) Reference back to a Committee of its report or any item upon it.
- (d) Appointment of Committee members if arising from an item on the agenda of the Meeting.
- (e) Adoption of reports and recommendations of Committees or Officers.
- (f) Motions arising from Officers or other reports submitted to Committee or Panels.
- (g) That leave be given to withdraw a motion.
- (h) Amendments to motions.

- (i) Suspending any Standing Order in accordance with Standing Order SOA 20.
- (j) Motion to exclude the public.
- (k) That a Member named under Standing Order SOA 12 be not further heard or do leave the Meeting.
- (l) Inviting a Member to remain under Standing Order SOA 17.
- (m) Giving consent of the Authority where the consent of the Authority is required by these Standing Orders.
- (n) Amending the time limit for speeches.
- (o) That the Meeting proceed to next business.
- (p) That the question be now put.
- (q) That the debate be now adjourned.
- (r) That the Authority does now adjourn.

## **SOA 10      DISORDERLY CONDUCT**

### **Motion to End Disorderly Conduct**

- 1 If, at a Meeting, any Member of the Authority in the opinion of the Chairman misbehaves by persistently disregarding the ruling of the Chairman or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Authority, the Chairman or a Member may move "That the Member named be not further heard" and the motion if seconded shall be put to the vote without discussion.

### **Persistent Misconduct**

- 2 If, after such a motion has been carried, the Member persistently misbehaves the Chairman may give such directions as appropriate to require the removal of the Member for such part of the remainder of the Meeting as the Chairman shall determine for the restoration of order, including if necessary adjourning or suspending the sitting of the Authority or Committee, without the question being put, for such period as the Chairman considers expedient.
- 3 If a Member is required to leave the Meeting under Standing Order SOA 10(2) the Member is not entitled to vote during the remainder of the Meeting or such part of the remainder of the Meeting as the case may be.

### **Disturbance by Member of the Public**

- 4 If a member of the public interrupts the proceedings at any Meeting the Chairman shall issue a warning. If the interruption continues the Chairman shall order the person's removal from the Meeting Room.

- 5 In case of general disturbance in any part of the Meeting Room open to the public the Chairman shall order that that part of the Room be cleared. If the Chairman considers it necessary s/he may suspend the sitting of the Authority or Committee, without the question being put, for such period as the Chairman considers expedient.

## **SOA 11 VOTING**

### **Voting at Authority Meetings**

- 1 Members will normally vote by a show of hands.
- 2 On the requisition of any Member supported by two other Members who show their support by rising in their places the voting on any question shall be recorded so as to show how each Member present, and voting, gave his/her vote.
- 3 Whenever a vote shall be taken by show of hands only, the Chairman shall ask for all those in favour to signify at once and all those against to signify at once, and if requested by a Member of the Authority the number of those signifying shall be recorded and entered in the Minutes of the Meeting.
- 4 Immediately after a vote is taken any Member may require that his/her vote cast for or against the question, or whether s/he abstained, is recorded in the Minutes.
- 5 In the event of the voting being equal, the Chairman shall have a second or casting vote.
- 6 Immediately after any vote is taken at a budget decision meeting of the Authority there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

### **Voting on Appointments**

- 7 Where there are more than two persons nominated for any position to be filled by the Authority, and no person receives more than one half of the votes given, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a clear majority of votes is given in favour of one person. If two or more persons have equal and least votes, a vote shall be taken to decide whose name shall be struck off the list.

## **SOA 12 SUBSTITUTION**

### **Attendance of Substitutes at Authority Meetings**

- 1 The Combination Scheme Order does not make provision for substitution of Members at Authority Meetings. Members may resign, by giving notice to the Monitoring Officer to the Authority, and constituent authorities shall nominate a replacement Member to serve on the Fire Authority for the remainder of the time that their predecessor would have served.

- 2 A Member, or that Member's political Group representative for the purpose on the Authority, may nominate any other Member of the Authority to act as substitute at any Committee Meeting and, in the absence of the Member from any Meeting of the relevant Committee the nominee shall be entitled to attend, speak and vote at the Meeting (but not, in the case of the nominating Member being the Chairman or Vice-Chairman, to exercise the rights and functions of that office).
- 3 The nomination or revocation of nomination of a substitute shall be in writing specifying the Committee to which it relates and the period or periods of time for which the substitution shall apply, and shall be signed and sent by the substituted Member's political Group representative for the purpose on the Authority, to the Monitoring Officer to the Authority. Upon receipt, the Monitoring Officer will amend the Members' Register accordingly.
- 4 A Member attending as substitute shall, at the commencement of the Meeting, identify the Member on whose behalf s/he attends, who shall then be excluded from participation in that Meeting.

### **SOA 13 EXERCISE OF DELEGATED POWERS**

- 1 The Authority, or a duly constituted Committee acting in the exercise of its delegated powers and in accordance with its terms of reference, shall be entitled to take executive action.

### **SOA 14 INSPECTION OF DOCUMENTS**

- 1 A Member of the Authority may, for the purposes of his/her duty as such a Member but not otherwise, on application to the Monitoring Officer to the Authority inspect any document which has been considered by a Committee or by the Authority and if copies are available shall on request be supplied for the like purposes with a copy of such a document.
- 2 A Member shall not knowingly inspect, or request a copy of, any document relating to a matter in which s/he is professionally interested or in which s/he has a pecuniary interest within the meaning of the Local Government Act, 1972. This Standing Order shall not preclude the Monitoring Officer to the Authority from declining to allow inspection of any document which is or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client.

### **SOA 15 COMMON SEAL AND SIGNATURE OF DOCUMENTS**

- 1 The Common Seal of the Authority shall be kept in a safe place in the custody of the Monitoring Officer to the Authority.
- 2 A decision of the Authority, or any of its committees, will be sufficient authority for sealing any document necessary to give effect to it.

- 3 The affixing of the Common Seal will be attested by the Monitoring Officer to the Authority.
- 4 Any entry of every sealing will be made and consecutively numbered in a book kept for that purpose, and will be signed by the person who attested the sealing.
- 5 Where any document is a necessary step in legal proceedings on behalf of the Authority it shall, unless any enactment otherwise requires or authorises or the Authority has given the necessary authority to some other person for the purpose of such proceedings, be signed by the Chief Fire Officer, or the provider of legal services to the Authority.

#### **SOA 16 DISCLOSURE OF INFORMATION BY MEMBERS**

- 1 A Member shall not disclose or quote in public the contents of any agenda, report or other document which is marked "Confidential" or "Not for Publication" unless and until the document has been made available to the public or the press by or on behalf of the Authority or its Committees.
- 2 A Member of the Authority shall not disclose to a non-member or quote in public any matter that is not otherwise published coming to the Member's knowledge by virtue of his/her office as a Member of the Authority where such disclosure would prejudice the interests of the Authority.

#### **SOA 17 INTERESTS OF MEMBERS AND OFFICERS IN CONTRACTS AND OTHER MATTERS**

- 1 Upon accepting Office to the Authority Members and Co-Opted Members declare that they will observe the Authority's Code of Conduct for Members and Co-opted Members.
- 2 A member with a disclosable pecuniary interest in an item of business must not, unless a dispensation has been granted take part in the discussion or vote on that item and must withdraw from the meeting room including any public gallery or public seating area before the item is considered by the meeting.
- 3 The Chief Fire Officer and Chief Executive shall record in a book to be kept for the purpose particulars of any notice given by an officer of the Authority, under the Local Government Act 1972, of any pecuniary interest in a contract and the book shall be open during office hours for the inspection of any Member.

#### **SOA 18 INSPECTION OF LANDS OR PREMISES**

- 1 A Member of the Authority, unless authorised to do so by the Authority or a Committee, has no right to enter and/or inspect any lands or premises which the Authority has the right or statutory duty to inspect.
- 2 A Member of the Authority has no right to enter Fire Authority premises or require any action to be taken for any works to be carried out by or on behalf of the Authority without proper authority being given.

## **SOA 19 CANDIDATES FOR APPOINTMENT**

### **Canvassing of Members**

- 1 Canvassing of Members of the Authority or its Committees directly or indirectly for any employment under the Authority shall disqualify the candidate for such appointment.

### **Canvassing by Members**

- 2 A Member of the Authority shall not solicit for any person any employment with the Authority, or recommend any person for such appointment or for promotion.

### **Relatives of Members or Officers**

- 3 Candidates for any appointment under the Authority who know that they are related to any Member or officer of the Authority shall, when making application, disclose that relationship. A candidate who fails to do so shall be disqualified for such appointment and, if appointed, shall be liable to dismissal without notice.
- 4 Every Member and officer of the Authority shall disclose to the Chief Fire Officer and Chief Executive (or in the case of Chief Fire Officer and Chief Executive when disclosure shall be made to the Monitoring Officer) any relationship known to exist between him/herself and a candidate for an appointment of which s/he is aware. Where the appointment is a matter requiring Member involvement it shall be the duty of the Chief Fire Officer and Chief Executive (or the Monitoring Officer, as the case may be) to report any such disclosure to the Authority or the appropriate Committee.
- 5 Where relationship to a Member of the Authority is disclosed Standing Order SOA 17(2) shall apply.

### **Proximity of Relationship**

- 6 For the purposes of this Standing Order "officer" means any individual with a contract of employment with the Authority. For the purpose of this Standing Order there shall be deemed to be a relationship if the candidate is a family member. Family membership includes a partner (whether or not this is a formal marriage or civil partnership) a parent, a parent-in-law, a son or daughter, a stepchild, the child of a partner, a brother or sister ,a partner's brother or sister, a niece or nephew, a grandchild or a grandparent.



## **SOA 20      SUSPENSION, VARIATION, AND REVOCATION OF STANDING ORDERS**

### **Suspension**

- 1      Any Standing orders may be suspended by resolution of the Authority so far as regards any business at a Meeting of the Authority where its suspension is moved except for those Standing Orders governed by statutory requirements.
- 2      A motion to suspend Standing Orders shall not be moved without notice under Standing Order SOA 9(1)(i) unless at least a Quorum is present.
- 3      Any motion for a suspension shall state the specific Standing Order or Standing Orders which it is desired shall be suspended.

### **Variation and Revocation**

- 4      Any motion to add to, vary or revoke these Standing Orders other than such a motion of which notice is given under Standing Order SOA 8(1) or a motion after consideration of a proposal or recommendations received in a report from a committee or from an officer of the Authority shall, when proposed and seconded, stand adjourned without discussion to the next Ordinary Meeting of the Authority. Any changes are to take effect from the end of the Meeting at which those changes are agreed.
- 5      A printed copy of these Standing Orders shall be given to each Member of the Authority, as part of the induction pack upon nomination to the Authority by the Constituent Authority.

## **SOA 21      INTERPRETATION**

- 1      The Interpretation Acts shall apply to these Standing Orders.
- 2      The ruling of the Chairman as to the construction or application of any of these Standing Orders, or as to any proceedings of the Authority, shall be final.
- 3      In these Standing Orders any reference to a statutory provision, regulations or code of conduct shall be construed as a reference to the provision, regulations or code of conduct as amended, substituted, or extended from time to time.
- 4      Any reference in these Standing Orders to a Group representative shall be construed to be a reference to the Member/s nominated for the purpose/s specified by each political group on the Authority to the Monitoring Officer to the Authority.

## **SOA 22      FINANCIAL REGULATIONS**

Such Financial Regulations as the Authority may from time to time make for regulating and controlling the finances of the Authority shall have the force and validity of Standing Orders.

## STANDING ORDERS TO APPLY TO COMMITTEES

**SOC 1** The following Standing Orders shall, with any necessary modifications, apply to Committees of the Fire Authority:

SOA 2(2) and (3)	Quorum
SOA 3	Order of Business, Agenda Procedure and Summons
SOA 4	Election of and Powers of Chairman
SOA 5(1)(2)(3) and (4)	Approval of Minutes
SOA 7	Questions and Rights of Access
SOA 8(8)	References of Motion to Committee
SOA 8(10)	Proposer of Motion may attend Committee Meeting of which he is not a member.
SOA 9	Motions which may be moved without notice except for i and m. (SOA 9(1)(f) does not apply to Authority Meetings).
SOA 10	Disorderly conduct
SOA 11(1)(4)(5) and (6)	Voting and Voting on appointments
SOA 12 (2)	Substitutes
SOA 13	Exercise of Delegated Powers
SOA 17(2)	Interests of Members
SOA 20	Suspension, variation and revocation of Standing Orders
D 1 - 16	Rules of Debate

### **SOC 2      STANDING COMMITTEES**

- 1      The size and number of Standing Committees shall be decided by the Authority.
- 2      The Monitoring Officer to the Authority shall keep a list of all such Committees and maintain details of their terms of reference and membership.

### **SOC 3 APPOINTMENT OF COMMITTEES**

The Authority shall at the Annual Meeting appoint its Standing Committees, and may at any time appoint such other Committees as are necessary to carry out the work of the Authority but, subject to any statutory provision:

- (a) shall not appoint any Member of a Standing Committee so as to hold office later than the next Annual Meeting nor appoint any Member to both the Executive Committee and the Overview and Audit Committee
- (b) may at any time dissolve or alter the membership of a Committee.
- (c) may resolve that non-voting co-optees shall also be appointed to any Committee

#### **Proportionality**

- 2 Seats on Committees shall be distributed among political groups in proportion to their membership of the Authority.
- 3 Before the Annual Meeting the Monitoring Officer to the Authority shall consult with the retiring Chairman of the Authority and Group Leaders/Spokespersons on the size and membership of Committees and shall report as appropriate to the Annual Meeting.
- 4 This report will provide for the determination of the allocation of seats on Committees to the different political groups and recommends the appointments for each group.
- 5 Similar reports shall be submitted to each Standing Committee at its first Meeting after the Annual Meeting of the Authority.

#### **Casual Vacancies**

- 6 The Authority may appoint from its membership Members to fill any casual vacancies that may arise on its Committees.

### **SOC 4 ELECTION OF CHAIRMAN OF COMMITTEES AND APPOINTMENT OF VICE-CHAIRMAN**

- 1 Every Standing Committee shall, at its first Meeting after appointment and at its first Meeting after the Annual Meeting of the Authority or as soon as practicable thereafter, elect a Chairman and appoint a Vice-Chairman who shall hold office for a year or until their successors are elected or appointed.
- 2 If both Chairman and Vice-Chairman are absent from a Meeting a Chairman for the Meeting shall be elected.
- 3 No Member shall hold the office of Chairman or Vice-Chairman unless s/he is a Member of the Committee in question and is also a Member of the Authority.

## **SOC 5 SPECIAL MEETINGS OF COMMITTEES**

The Chairman of a Committee or the Chairman of the Authority may summon a special Meeting of a Committee. A special Meeting shall also be summoned on the requisition in writing of two Members of the Committee. The summons shall set out the business to be considered at the special Meeting and no other business than that set out shall be considered at that Meeting.

## **SOC 6 INSPECTION OF COMMITTEE DOCUMENTS**

- 1 Any Member of the Authority on application to the Monitoring Officer to the Authority shall be entitled to be supplied with the summons, agenda (including the agenda for closed Meetings), Minutes, reports and background papers of any open Meeting of any Committee of which s/he is not a Member. All documents which are open to public inspection shall be available three clear days before the Meeting (or as soon as the Meeting is convened or the report prepared if that is less than three days).
- 2 Any member of the public may inspect agendas of the Authority and its Committees upon request to the Monitoring Officer to the Authority, except for items which are not open to the public.

## **SOC 7 CONSIDERATION OF COMMITTEE REPORTS**

### **Recommendations as Motions**

- 1 For the purpose of Standing Orders relating to Rules of Debate each recommendation to the Authority arising out of a Committee report shall be a separate motion.

### **Items for Report**

- 2 Each item for report to the Authority arising out of a Committee report shall be debated in accordance with Standing Orders relating to Rules of Debate.

### **Related Items of Business**

- 3 When there are items of business before the Authority in the form of reports from Committees or notices of motion they shall, if the Chairman is of the opinion that these items are related, be dealt with by the Authority in such a manner as the Chairman shall, after consultation with the movers concerned, decide.

# **STANDING ORDERS APPLYING RULES OF DEBATE**

## **D 1 RESPECT FOR THE CHAIRMAN**

Whenever the Chairman rises during a debate a Member then speaking or standing shall be seated and the Authority shall be silent.

## **D 2 CHAIRMAN'S DECISIONS TO BE FINAL**

The decision of the Chairman on the admissibility of a personal explanation, a point of order and the Chairman's interpretation and application of these Standing Orders shall be final.

## **D 3 POINTS OF ORDER etc.**

1 A Member may rise to a point of order or in personal explanation. A personal explanation shall consist of the right to correct any statement concerning the Member made about him/her by another Member during a previous speech in the course of the same debate.

2 A Member so rising shall be entitled to be heard immediately.

## **D 4 SPEECHES TO BE RELEVANT**

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

## **D 5 TIME LIMIT ON SPEECHES**

With the exception of speeches by the Chairman of the Authority and the Chairman of Standing Committees no speech shall exceed four minutes.

## **D 6 MOTIONS AND AMENDMENTS**

A motion or amendment shall not be discussed or put to the meeting until it has been moved and seconded and, unless notice has been given under Standing Order SOA 8(1) or if it is a motion moved under Standing Orders SOA 9 and D(13) it shall be reduced to writing and handed to the Chairman before it is discussed or put to the Meeting.

## **D 7 SECONDER MAY RESERVE SPEECH**

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

## **D 8 ALTERATION OF MOTION**

A Member may with the consent of his/her seconder and of the Authority, signified without discussion, alter a motion of which the Member has given notice or a motion which s/he has moved if the alteration is one which could be made as an amendment.

## **D 9 WITHDRAWAL OF MOTION OR AMENDMENT**

A motion or amendment may be withdrawn by the mover with the agreement of the seconder and of the Authority, signified without discussion, and it shall not be competent for any Member to speak upon it after the mover has asked permission for its withdrawal unless such permission has been refused.

## **D 10 RIGHT TO SPEAK**

A Member shall not speak more than once on any motion or amendment except in exercise of the right of reply given in Standing Order D 15 or on a point of order, or by way of personal explanation, or to move in so many words "That the question now be put".

## **D 11 NOTICES OF MOTION - ORDER OF DEBATE**

Where a notice of motion has been referred to a Committee under Standing Order SOA 8(7) and is the subject of a report to the Authority under Standing Order SOA 8(8) the following order of debate shall apply:

- (a) The mover of the original notice of motion shall speak first at the start of the debate on the notice of motion.
- (b) The Chairman (or Chairmen) of the Committee(s) reporting on the notice of motion shall then speak.
- (c) The matter is then open to debate.
- (d) The Chairman (or Chairmen) of the Committee(s) reporting on the notice of motion shall have the right to make the penultimate speech in reply to the debate on the notice of motion.
- (e) The mover of the notice of motion shall have the right of reply at the end of the debate on the notice of motion.

## **D 12 AMENDMENTS**

- 1 An amendment shall be relevant to the motion and shall be either:
  - (a) To leave out words.
  - (b) To insert or add words.
  - (c) To leave out words and insert or add others.
- 2 No amendment shall be allowed which has the effect of introducing a new proposal or of negating the motion before the Authority.
- 3 Only one amendment may be moved and discussed at a time, and no further amendment may be moved until the amendment under discussion has been disposed of.
- 4 If an amendment is rejected further amendments may be proposed on the original motion.

- 5 If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion on which any further amendment may be moved.
- 6 If no amendment or no further amendment is carried the original motion or the motion as amended shall be put to the Meeting.
- 7 No amendment shall be proposed on the motion after the mover of the motion has exercised his/her right of reply.

### **D 13 MOTIONS THAT MAY BE MOVED DURING DEBATE**

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

- (a) to amend the motion
- (b) to withdraw a motion or amendment
- (c) to postpone consideration of the motion
- (d) to adjourn the Meeting
- (e) to adjourn the debate
- (f) to proceed to the next business
- (g) that the question be now put
- (h) that a Member be not further heard
- (i) that a Member leave the meeting
- (j) that the subject of debate be referred back to Committee
- (k) under Section 100A(4) of the Local Government Act 1972 to exclude the public
- (l) to consent to the continuation of a speech beyond four minutes
- (m) to suspend a Standing Order or Standing Orders.

### **D 14 CLOSURE MOTIONS**

A member may move without comment at the conclusion of a speech of another Member "That the Authority proceed to the next business" or "That the question be now put" or "That the debate be now adjourned" or "That the Authority adjourn" on the seconding of which the Chairman shall proceed as follows:

(a) **On the Motion to Proceed to the Next Business:**

Unless in the Chairman's opinion the matter before the Meeting has not been sufficiently discussed, the Chairman shall first give the mover of the original motion the right to speak against the closure motion, and then put to the vote without debate the motion to proceed to the next business.

(b) **On a Motion that the Question Be Now Put:**

Unless in the Chairman's opinion the matter before the Meeting has been insufficiently discussed, the Chairman shall first put to the vote without debate the motion that the question be now put and if it is passed then give the mover of the motion under debate a right of reply before putting the motion or amendment to the vote.

(c) **On a Motion to Adjourn the Debate:**

If in the Chairman's opinion the matter before the Meeting cannot reasonably be discussed on that occasion, the Chairman shall put the adjournment motion without debate to the vote and without giving the mover of the original motion the right of reply on that occasion. If the motion is passed, consideration of the matter under discussion shall stand adjourned to the next Ordinary Meeting of the Authority.

(d) **On a Motion to Adjourn the Authority:**

A Member may move at any time "That the Authority adjourn". The mover and one other speaker replying on the invitation of the Chairman may speak for four minutes each and the question shall then be put. If the motion is carried the Meeting shall stand adjourned with unfinished business held over to the next Ordinary Meeting of the Authority, unless an Extraordinary Meeting is called to deal with it.

**D 15 RIGHT OF REPLY**

- 1 The mover of a motion shall have a right of reply at the close of the debate on the motion immediately before it is put to the vote or after the motion "That the question be now put" is carried.
- 2 If an amendment is moved the mover of the original motion has a right of reply at the close of the debate and before the amendment is put to the vote, but shall not otherwise speak on the amendment.
- 3 The proposer of an amendment has no right of reply to the debate on that amendment but shall have the right to make the penultimate speech in reply to the debate on the amendment.
- 4 A Member exercising a right of reply or a right to speak under Standing Order D 15(3) shall not introduce any new matter.
- 5 After every reply to which Standing Order D 15(1) and D 15(2) applies a vote shall be taken without further discussion.



## **D 16 MOTIONS AFFECTING PERSONS EMPLOYED BY THE AUTHORITY**

If any question arises at a Meeting of the Authority as to the appointment, promotion, dismissal, salary, superannuation, or conditions of service or as to the conduct of a particular person employed or formerly employed by the Authority, the Chairman shall move a motion that shall immediately be put without debate to exclude the public under Section 100A(4) and Schedule 12A paragraph 1 of the Local Government Act 1972.

### **Reference:-SOA7(11) and (13)**

Grounds on which the proper officer of the Authority may exclude from publication in advance of a meeting the whole of any report which, or any part which, relates only to items during which, in his opinion, the meeting is likely not to be open to the public

**“EXEMPT INFORMATION”** (non- Authority functions omitted)<sup>1</sup>

### **Means:**

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including BMKFA) unless required to be registered under company; charity; or building /industrial and provident /friendly societies, legislation.
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between BMKFA or a Minister of the Crown and employees of, or office holders under, BMKFA.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that BMKFA proposes—
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Information which falls within any of paragraphs 1 to 7 above is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

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<sup>1</sup> Local Government Act 1972 Schedule 12A

(As amended by Local Government (Access to Information)(Variation) Order 2006 [20006/88] 1 March 2006)