



**Armagh City  
Banbridge  
& Craigavon**  
Borough Council

# STANDING ORDERS

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## INTRODUCTION

These Standing Orders are for regulating business at the Council and Committee meetings of Armagh City, Banbridge and Craigavon Borough Council. They help ensure that all business is conducted in an efficient, fair and legal manner and have been updated to reflect the operations of the Council. All Elected Members and Officers must abide by and act in accordance with the Standing Orders of our Council.

The Standing Orders contain elements which are mandatory as a result of the Local Government Act (Northern Ireland) 2014 and these mandatory elements are indicated as such.

These Standing Orders should be considered in conjunction with the Council's overall Governance Framework and the Councillor Code of Conduct. Standing Orders have primacy in any potential conflict between these documents. If legislation dictates otherwise than is in the Standing Orders, then legislation will have primacy.

Temporary amendments have been made to Standing Orders which enable full Council or Committee meetings to be held wholly or partially on a remote basis which in accordance with the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020 as attached at **Appendix 1**.



## **SECTION ONE – MEETINGS**

### **1. Annual and Monthly Meetings**

- (1) In every year that is not a local election year Council shall hold an Annual Meeting in the month of June.
- (2) In any year which is a local government election year, the Annual Meeting shall be held within twenty-one days immediately following the election, at such time as Council may fix at the offices of Council or at such other place as the Department may direct.
- (3) A meeting of Council for the transaction of general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the fourth Monday of every month. Other meetings of Council for the transaction of general business shall be held, as Council considers necessary.
- (4) Meetings of Council shall not take place on a Public or Bank Holiday, a Saturday or a Sunday. When the day of a meeting falls on one of these days, the meeting shall be held on the next following weekday instead.

### **2. Time and Place of Meetings**

Except where fixed by statute or by special summons, the Annual Meeting and meetings of the full Council shall be held at 6.30 pm in the Council Chamber in Craigavon Civic and Conference Centre.

### **3. Convening Special Meetings**

- (1) The Lord Mayor of the Council may call a meeting of the Council at any time.
- (2) The Lord Mayor of the Council must call a meeting of the Council if a request for such a meeting, supported by 9 Members (one-fifth of the whole number of Members) is presented to him/her. If the Lord Mayor either refuses or does not call this meeting within 7 days of service of the request, then the 9 Members may call a meeting of the Council at the expiration of this period.
- (3) The Chief Executive can call a special meeting of the Council at any time in order to make a decision connected to the Emerging Issues Working Group.

### **4. Notice and Summons of Meetings**

- (1) Notice of the time and place of the intended meeting shall be published on the Council's website at least 5 working days before a meeting or, where the meeting is convened at shorter notice, from the time the meeting is convened. Where the meeting is called by Members, the notice shall be signed by them and shall specify the business proposed to be transacted.
- (2) A summons to attend the meeting, specifying the business proposed to be transacted thereat and signed by the Chief Executive shall be issued to every Member. Failure to serve the summons within the correct time shall not affect the validity of the meeting.



- (3) Except in the case of business required by statute, or where in the opinion of the Lord Mayor, the business should be considered by the meeting as a matter of urgency, no business shall be transacted at a meeting of the Council, a Committee or Sub-Committee other than that specified in the summons relating thereto.

#### **5. Chair to be taken**

At each meeting of the Council, the Chair shall be taken at the time for which the meeting is convened and business immediately proceeded with.

#### **6. Chairperson of Meeting (Lord Mayor) – Full Council**

- (1) At a meeting of the Council, the Lord Mayor of the Council, if present must preside.
- (2) If the Lord Mayor of the Council is absent from a meeting of the Council, the Deputy Lord Mayor of the Council, if present, must preside.
- (3) If both the Lord Mayor and Deputy Lord Mayor are absent from a meeting of the Council, the nominating officer of the political party whose Member is Lord Mayor of the Council shall nominate a Member to preside in their absence.
- (4) The person presiding at the meeting may exercise any power of the Lord Mayor of the Council in relation to the conduct of a meeting.

#### **7. Protocol at Council Meetings**

As the Lord Mayor/Deputy Lord Mayor enters the Council Chamber at all scheduled full Council meetings, Members will stand. Members will take their seats when so directed by the Lord Mayor/Deputy Lord Mayor after the Macebearer has laid the mace. At the close of business, all Members will stand as the Macebearer collects the mace and remain standing as the Lord Mayor/Deputy Lord Mayor exits the Chamber.

#### **8. Chairperson of Meeting – Committee**

- (1) At a meeting of a Committee, the Chairperson of the Committee, if present, must preside.
- (2) If the Chairperson is absent from the Committee, the Deputy Chairperson of the Committee, if present, must preside.
- (3) If both the Chairperson and Deputy Chairperson are, absent from a meeting of a Committee, the nominating officer of the political party whose Member is Chairperson of the Committee shall nominate a Member to preside in their absence.



- (4) The person presiding at the meeting may exercise any power of the Chairperson of the Standing Committee in relation to the conduct of a meeting.

#### **9. Quorum**

- (1) No business shall be transacted at a meeting of the Council and its Committees unless at least one-quarter of the whole number of Members are present. This is currently 11 Members for Council meetings, 5 Members for Committee meetings, 4 Members for Planning and Regulatory Committee meetings and 2 Members for Performance and Audit Committee.
- (2) If during a meeting, the Presiding Chair, after the number of Members present is counted, declares that a meeting is inquorate and it is unlikely that there will be a quorum present within a reasonable time, he/she shall declare the meeting adjourned.
- (3) Any uncompleted business on the agenda of a meeting adjourned under Standing Order 9 (2) above shall be tabled for discussion at the reconvened meeting or next suitable meeting.
- (4) Where more than one-quarter of the Members become disqualified at the same time then, until the number of Members in office is increased to not less than three-quarters of the whole number of Members, the quorum of the Council shall be determined by reference to the number of Members remaining qualified instead of by reference to the whole number of Members.

#### **10. Admission to Meetings**

- (1) Subject to the provisions of this Standing Order, every meeting of the Council shall be open to the public in accordance with Section 42 of the Local Government (Northern Ireland) Act 2014.
- (2) The public and press may attend only in those parts of the Council Chamber or other nominated venue provided for their accommodation at meetings of the Council, unless specifically excluded in accordance with the provisions of Standing Order 12 or as required by the Council to comply with provisions in relation to Fire Safety and Health & Safety and the Public Order (NI) Order 1987.
- (3) The admission of the public is upon the understanding that they must continue at all times to be seated, and that no expression of opinion or noise of any kind be allowed from them.
- (4) At all times during which a meeting of the Council is open to the public, the Council shall make available to all media representatives facilities for taking reports of these proceedings.
- (5) Taking photographs of proceedings or the use of any other means by members of the public to enable persons not present to see or hear any proceedings (whether at that time or later) or making of any oral report of any proceedings as they take place shall be prohibited unless expressly permitted by the Council.



- (6) The use of social media by Councillors, members of the public or journalists shall be permitted, during those proceedings that are open to the public, to the extent that its use does not disrupt proceedings.
- (7) Members who are not Members of a particular Committee or Sub-Committee are free to attend. Speaking rights may be afforded to them by the Chairperson only on the business under discussion and they are not permitted to vote on any issue.

#### **11. Record of Attendances at Meetings**

The names of the Members present at a meeting of the Council or Standing Committee shall be recorded and entered into the minutes. A record will be maintained showing the number of meetings attended by Members.

#### **12. Exclusion from Meetings – Closed Council or Committees**

- (1) In line with legislative requirements, the public shall be excluded from a meeting of the Council whenever it is likely that, during the transaction of an item of business, confidential information would be disclosed to them in breach of an obligation of confidence. The agenda for Council and Committee meetings will indicate when a matter is being dealt with under confidential business.
- (2) The Council may, by resolution, exclude the public from a meeting of the Council (whether during the whole or part of the proceedings at the meeting) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the meeting.
- (3) The Lord Mayor or Chairperson may at any time during the proceedings, if he/she thinks it necessary to secure order, direct the removal of any individual or group of individuals from the meeting venue or order the meeting venue to be wholly cleared of members of the public.

#### **13. Deputations to Council and Committees**

- (1) Deputations, from any source, shall only be admitted to address the Council or Committee provided the Chief Executive has received 15 working days' notice of the intended deputation and a statement of its objective.
- (2) The deputation shall be confined to the presentation of a statement, or copy of resolutions, and shall not make more than two short addresses by any two members of the deputation. The totality of the address shall not exceed ten minutes for the total presentation unless the Council decides that the deputation is of strategic significance in which case longer time limits can be put in place.
- (3) Deputations should not be repetitive and, where possible, issues of a similar or linked nature should be contained in one deputation. Where a deputation has made a presentation to the Council, the Council may decline to accept another deputation on the same issue from the same individual or group for a period of six months.

- (4) Arrangements for deputations to the Council's Planning and Regulatory Services are detailed in that Committee's Operating Protocol.
- (5) The above arrangements apply to both Council and Committee meetings.

#### **14. Order of Business at Meetings**

##### (Council)

Subject to any statutory requirements to the contrary, the order of business at every meeting of the Council shall be as follows:

- 1 Apologies
- 2 Consideration of Minutes of last full Council meeting
- 3 Declaration of Interests
- 4 Deputations/ Presentations by Statutory Bodies
- 5 Consideration of Committee Minutes
- 6 Chief Executive's Report
- 7 Schedule of Correspondence
- 8 Schedule of documents requiring the corporate seal (To note that in accordance with Article 11.5 of the Constitution the corporate seal can be affixed by the Chief Executive and Lord Mayor or a Councillor in matters of emergency or urgency)
- 9 Consideration of Motions for which due notice has been given, in the order they have been received
- 10 Schedule of confidential business
- 11 Consideration of confidential minutes
- 12 Confidential Chief Executive's Report
- 13 Any other relevant business of which previous notice has been given

##### (Committees)

- 1 Apologies
- 2 Declaration of Interests
- 3 Officer Reports
- 4 Correspondence
- 5 Confidential Reports
- 6 Any other relevant business of which previous notice has been given

##### (Planning and Regulatory Services Committee)

- 1 Apologies
- 2 Declaration of Interests
- 3 Report from Officers
- 4 Correspondence
- 5 Confidential Reports
- 6 Consideration of Applications for Planning Permission
- 7 Any other relevant business of which previous notice has been given



**NB requests in relation to speaking on any other relevant business should be made to Democratic Services by 12 noon on the date of the meeting.**

**Any matter that commits the Council to expenditure will not be considered under AOB.**

## SECTION TWO – MINUTES

### **15. Minutes**

#### a) Keeping of; as evidence; etc

- (1) Minutes of the proceedings of a meeting of the Council, or of a Committee or Sub-Committee, shall be drawn up and retained after approval.
- (2) Any minute purporting to be signed as mentioned in Standing Order 15.1.1 shall be received in evidence without further proof.
- (3) Until the contrary is proved, a meeting of the Council or of a Committee or Sub-Committee thereof in respect of the proceedings of which a minute has been so made and signed shall be deemed to have been duly convened and held, and all the Members present at the meeting shall be deemed to have been duly qualified, and where the proceedings are proceedings of a Committee or Sub-Committee, the Committee or Sub-Committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minutes.

#### b) Signing of

The Minutes of a meeting of the Council and Standing Committees shall be signed at the next ensuing meeting of the Council by the Lord Mayor, Deputy Lord Mayor or Chairperson presiding, if approved by the meeting at which they fall to be signed.

### **16. Submission of Minutes**

- (1) In order to give sufficient time for the perusal of minutes by the Members of the Council, minutes of meetings of a Committee held later than seven clear days before the meeting of the Council shall not be submitted to that meeting for approval. This may be disapplied where a Committee considers the matter to be of extreme urgency and records such a decision in its minutes.
- (2) A **Decision Notice** will be issued within **three working days** of the Council or Committee meeting
- (3) It shall be the duty of a Committee, through the Chairperson or his/her representative, when its minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.



## 17. Minutes of Committees

- (1) A motion or amendment shall not be made or proposed, or any discussion allowed on the proceedings of Committees with reference to any matter within the remit of a Committee which does not appear on the minutes submitted to the meeting of the Council.
- (2) Any matter in the minutes of a Committee on which a request for reconsideration, under Section 41 of the 2014 Act (call-in), has been lodged with the Chief Executive of the Council shall be identified, and may not be the subject of discussion at that meeting.

## SECTION THREE – MOTIONS

### 18. Motions

Every motion shall be relevant to some matter –

- i) in relation to which the Council
  - has power or duties;
  - is not prevented from taking action on by other legislation;
- ii) which directly affects the local government district or its residents; and
- iii) for which the Council is legally competent.

#### 18.1 On Notice

- (1) Notice of every motion, other than a motion which under Standing Order 18.2 may be moved without notice, shall be given in writing (which includes electronic correspondence) signed by the Member or Members of the Council giving the notice, to the Chief Executive **not later than at least ten clear days** before the next meeting of the Council. The Motion will be dated and time stamped by the Democratic Services Department. The motion must be clear in meaning otherwise it shall be rejected until such time as it is resubmitted in clear language, and not later than ten clear days before the meeting.
- (2) For the avoidance of doubt, whether a notice of motion is valid, under the terms of Standing Order 18 (Motions), shall be determined by the Chief Executive, in conjunction with Senior Council Officers including the Senior Solicitor, in advance of the Council meeting [and not at the Council meeting]. The incumbent Lord Mayor will be consulted.

The author(s) of the notice of motion shall be informed in advance of the Council meeting whether their motion is admissible and provided with reasons if the motion is deemed inadmissible.

- (3) Notices of motion will be limited to a maximum of 41 (1 per Member) in any calendar year, commencing January 2020.
- (4) A motion shall be rejected if the wording or nature of the motion is considered unlawful or improper.



- (5) All notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every Member of the Council.
- (6) Notices of motion shall be entered by the Chief Executive in their proper place in the Summons Paper in the order in which they are received.
- (7) If a motion set out in the Summons is not moved either by a Member who gave notice, or by some other Member on his/her behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (8) If a notice of motion fails to be considered at a meeting of the Council, such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Chief Executive by the Member concerned not later than seven clear days, at least, before the Council meeting.
- (9) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the Summons Paper for a period of six months from the date of the second meeting at which the matter has failed to be considered.

#### 18.2 Without Notice

The following motions may be moved without notice (any proposal should be seconded before discussion) -

- a) to appoint a Chairperson of the meeting at which the motion is moved in relation to the accuracy of the minutes
- b) to change the order of business in the agenda;
- c) to refer something to an appropriate body or individual
- d) to appoint a Committee or Members thereof arising from an item on the summons for the meeting
- e) to receive reports or adoption of recommendations of Committees or officers and any resolutions flowing from them
- f) to withdraw a motion
- g) to amend a motion
- h) to proceed to the next business
- i) that the question be now put
- j) to adjourn a debate
- k) to adjourn a meeting
- l) to suspend Standing Orders, in accordance with Standing Order 29.1;(qualified majority required)
- m) to exclude the public and press in accordance with section 42 of the 2014 Act
- n) to not hear further a Member named under Standing Order 23.3 or to exclude them from the meeting under Standing Order 23.4



## SECTION FOUR - AMENDMENTS

### **19. Amendments**

- (1) When a motion is under debate at any meeting of the Council, an amendment or further motion shall not be received, with the exception of the following:
- to amend the proposal; or
  - that the Council do now adjourn; or
  - that the debate be adjourned; or
  - that the question be now put; or
  - that the Council do proceed to the next business.

#### 19.1 To amend the Proposal

- (1) An amendment must be legitimate and within the scope of the notice convening the meeting. It **must not be a direct negative; must be relevant to the proposal**, which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment **must relate solely to the proposal**, which it seeks to amend, **and not be, in effect, a new proposition on a different matter, and must not place a greater responsibility on the meeting than the original proposal.**
- (2) An amendment to a motion shall be either:
- to refer a subject of debate to a Committee or to an officer for consideration or re-consideration;
  - to leave out words;
  - to leave out words and insert alternative words, or
  - to insert or add extra words

but such omission, insertion or addition of words shall not have the effect of directly negating the Motion before the Council.

- (4) When an amendment upon an original proposal has been moved, (the amended proposal must be taken first) the question to be put shall be "That the amendment be made". Where any amendment is agreed, the question to be put shall be "That the proposal, as amended, be agreed". Where any amendment is rejected, the substantive proposal shall stand and shall be voted on.

#### 19.2 That the Council Do Now Adjourn

- (1) Any Member of the Council who has not already spoken to the proposal or amendment then under debate may move "that the Council do now adjourn". Such a proposal must be seconded, but it need not be put in writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal, which shall be put to the vote without debate.



- (2) In the event of the proposal for the adjournment being carried, the Lord Mayor/Chairperson shall (unless stated in the proposal) fix the date for the adjourned meeting for the continuation of the debate on the proposal or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the Agenda for the meeting so adjourned.
- (3) A second proposal “that the Council do now adjourn” shall not be made within half-an-hour unless, in the opinion of the Lord Mayor/Chairperson, the circumstances are materially altered.

#### 19.3 That the Debate be Adjourned

- (1) Any Member of the Council who has not already spoken to the proposal or amendment then under debate may move “that the debate be adjourned”. Such a proposal must be seconded, but it need not be put in writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) Before putting to the meeting a proposal “that the debate be adjourned”, the Lord Mayor/Chairperson presiding shall call on the mover of the proposal or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the mover of a proposal to reply on the original question, shall put the proposal for adjournment of the debate to the vote without further debate.
- (3) If the proposal be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next meeting of the Council unless a special meeting of the Council shall be called for the purpose.
- (4) On resuming an adjourned debate, the Member who moved its adjournment shall be entitled to speak first. A second proposal “that the debate be adjourned” shall not be made within half-an-hour. A Member shall not move or second more than one proposal for the adjournment of the same debate.

#### 19.4 That the Question Be Now Put

- (1) Any Member who has not already spoken to the proposal or amendment then under debate may move “that the question be now put”. Such a proposal must be seconded, but it need not be put in writing. The mover and seconder shall not speak beyond formally moving and seconding it.
- (2) If the Lord Mayor/Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, he/she shall put the proposal “that the question be now put” to the vote without debate and if same is carried, the proposal or amendment under discussion shall be put to the Council.
- (3) A second proposal “that the question be now put” shall not be made on the discussion of the same question within half-an-hour.
- (4) A Member shall not move or second more than one proposal “that the question be now put” on the discussion of the same question.



**19.5 That the Council Do Now Proceed to the Next Business**

- (1) Any Member of the Council who has not already spoken to any proposal or amendment then under debate may move, “that the Council do proceed to the next business”. Such a proposal must be seconded, but it need not be put in writing. The mover and seconder shall not speak beyond formally moving and seconding the proposal which shall be put to the vote without debate.
- (2) If the Lord Mayor/Chairperson is of the opinion that the subject before the Council has been sufficiently discussed, he shall put the proposal “that the Council do proceed to the next business” to the vote without debate and if same is carried the proposal or amendment under discussion shall be put to the Council.
- (3) When a proposal is carried “that the Council do proceed to the next business”, the question under discussion shall be considered as dropped.
- (4) A second proposal “that the Council do proceed to the next business” shall not be made on the same question within half-an-hour.
- (5) A Member shall not move or second more than one proposal “that the Council do proceed to the next business” on the discussion of the same question.

**20. Amendments to Regulatory Decisions**

- (1) No amendment may be moved to a minute which is a Regulatory Decision.
- (2) For the purposes of these Standing Orders, a Regulatory Decision is a determination of an application for planning permission or any decision, determination, action, direction, order, approval, refusal, or enforcement action in exercise of powers of the Council as the local planning authority [or those powers specified in Executive Arrangements Regulations]; or any application for which the Council is the licensing authority.

**SECTION FIVE – RULES OF DEBATE**

**21. Rules of Debate**

The rules of debate apply to all Council business. A motion refers to any proposal, recommendation or matter formally submitted to Council with possible adoption as a resolution.



#### 21.1 Mode of address

The established mode of address is through the Lord Mayor/Chairperson by Members pressing the button to activate the electronic speaker system (where applicable) or by raising their hand. Every Member shall be seated and shall refer to one another using their respective titles of Lord Mayor, Deputy Lord Mayor, Chairperson, Deputy Chairperson, Alderman or Councillor. While a Member is speaking, the other Members should show respect. Any Member wishing to raise a point of order shall do so through the Lord Mayor/Chairperson. A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order.

#### 21.2 Precedence in speaking

When two or more Members have indicated to speak simultaneously, the Lord Mayor/ Chairperson shall decide who has precedence, facilitated by the electronic discussion system in operation where applicable.

#### 21.3 Place of Member speaking

A Member when addressing the Lord Mayor/Chairperson shall remain in the seat allocated to him/her in the Council Chamber or other venues.

#### 21.4 Addressing the Council

The Council during its sitting, shall not, unless with the consent of the Council, be addressed by any person who is not a Member of the Council.

#### 21.5 Lord Mayor/Chairperson rising during debate

Whenever the Lord Mayor/Chairperson rises or otherwise calls the meeting to order during a debate, a Member then speaking shall cease and the Council shall be silent.

#### 21.6 Member called to order

If any Member, while speaking, be called to order, he/she shall **cease speaking** and shall not again address the Council until the Lord Mayor/Chairperson has disposed of the question of order.

#### 21.7 Definition of point of order

A point of order refers to the interjection by a Member who does not have the floor to call to the Lord Mayor/Chairperson's attention, an alleged breach of Standing Orders. It shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or provision and the way in which he/she considers it has been broken.

#### 21.8 Member may raise a point of order

A Member may raise a point of order, stating which point of order they are referring to and shall be entitled to be heard immediately.



21.9 Ruling of Chairperson on point of order

The ruling of the Lord Mayor/Chairperson on a point of order shall not be open to discussion.

21.10 Motions and amendments to be put in writing and seconded

- (1) A Motion or Amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 18.1. It shall, if required, be put into writing and handed to the Lord Mayor/Chairperson presiding before it is further discussed or put to the meeting.
- (2) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.

21.11 Alteration of motion

- (1) A Member may alter a motion of which he/she has given notice as proposed with the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (3) Only alterations which could be made as an amendment may be made.

21.12 Withdrawal of motion

- (1) A Member may withdraw a motion of which he/she has given notice under Standing Order 18.1 at any time after the meeting has commenced provided that he/she has not moved the motion or spoken on it and has the consent of the meeting. The meeting's consent will be signified without discussion.
- (2) A Member may withdraw any other motions which he/she has moved with the consent of both the meeting and seconder. The meeting's consent will be signified without discussion.
- (3) No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

21.13 Member to speak to motion

A Member who speaks shall direct his/her speech strictly to the Motion under discussion, or an amendment thereof.



21.14 Member shall not speak more than once

A Member who has spoken on any Motion shall not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another Member;
- b) if the Motion has been amended since he/she last spoke, to move a further amendment;
- c) if his/her first speech was on an amendment moved by another Member to speak on the main issue whether or not the amendment on which he/she spoke was carried;
- d) in the exercise of a right to reply given by Standing Order 21.19;
- e) on a point of order.
- f) at the discretion of the Lord Mayor/Chairperson

21.15 Duration of speeches

Except with the permission of the Council, a Member, in introducing a Motion, shall not speak for more than five minutes and in replying, for more than three minutes.

A seconder of a Motion, or any other Member, shall not speak for more than three minutes.

21.16 Only one motion / amendment may be moved and discussed at a time

- (1) **Only one amendment may be moved and discussed at any one time.** No further amendment may be moved until the amendment under discussion has been disposed of.
- (2) If an amendment is not carried, other amendments to the original motion may be moved.
- (3) If an amendment is carried, **the motion as amended takes the place of the original motion.** This becomes the substantive motion to which any further amendments are moved.

21.17 When a motion is under debate no other motion shall be moved

When a Motion is under debate no other Motion shall be moved except the following -

- a) to amend the motion;
- b) to adjourn the meeting;
- c) to adjourn the debate;
- d) to proceed to the next business;
- e) that the question be now put;
- f) that a Member be not further heard;
- g) by the Chairperson/Lord Mayor under Standing Order 23.4, that a Member do leave the meeting.

21.18 Lord Mayor/Chairperson not to receive motion for direct negative

The Lord Mayor/Chairperson shall not receive a Motion for a direct negative to a question but, on the conclusion of the debate, the question shall be put and resolved in the affirmative or negative.



#### 21.19 Mover's right of reply

The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The Member will speak no longer than 5 minutes. The mover of the amendment shall have no right of reply to the debate on his amendment.

#### **22. Recession of a Preceding Resolution**

- (1) 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 rejected within the preceding six months, shall be proposed by a Member unless the notice thereof given in pursuance of Standing Order 18.1.1 bears the names of at least 15% of the Members of the Council.
- (2) When any such motion or amendment has been disposed of by the Council, it shall not be open to any Member to propose a similar motion within a further period of six months.
- (3) This Standing Order shall not apply to motions moved in pursuance of a recommendation of a Committee (or a Call-in)

#### **23. Members' Conduct**

Members must have due regard to the provisions of the Northern Ireland Local Government Code of Conduct for Councillors in relation to their conduct during the whole of the proceedings of a meeting of the Council or its Committees.

##### 23.1 Speaking

When requesting to speak, the Member must address the meeting through the Lord Mayor/Chairperson and speak from the seat allocated to him/her. If more than one Member requests to speak, the Lord Mayor/Chairperson will direct the order of speakers.

##### 23.2 Chairperson addressing the Meeting

When the Lord Mayor/Chairperson addresses the meeting, any Member speaking at the time must stop. The meeting must be silent.

##### 23.3 Member not to be heard further

If at a meeting any Member of the Council, misconducts himself/herself by persistently disregarding the ruling of the Lord Mayor/Chairperson, or by behaving irregularly, improperly or offensively or by willfully obstructing the business of the Council, the Lord Mayor/Chairperson or any other Member may move "that the Member named be not further heard". The Motion, if seconded, shall be put and determined without discussion.



#### **23.4 Member to leave the Meeting**

If the Member named continues to behave improperly after such a motion is carried, the Lord Mayor/Chairperson or any other Member may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

#### **23.5 General Disturbance**

When the Lord Mayor/Chairperson is of the opinion that the due and orderly dispatch of business is impossible, he/she in addition to any other powers vested in him/her may, without the question being put, adjourn the meeting of the Council or Committee for such period as he/she in his/her discretion shall consider expedient.

### **24. Disturbance by Public**

#### **24.1 Removal of a member of the public**

If a member of the public interrupts proceedings, the Lord Mayor/Chairperson will warn the person concerned. If they continue to interrupt, the Lord Mayor/Chairperson will order their removal from the meeting room.

#### **24.2 Clearance of part of meeting room/disturbances in building and its surrounds**

If there is a general disturbance in any part of the meeting room open to the public, the Lord Mayor/Chairperson may call for that part to be cleared. The Lord Mayor/Chairperson can request that action be taken if it is believed that any actions are or may potentially endanger the health and safety of Elected members or staff or other members of the public

### **SECTION SIX – VOTING**

### **25. Voting**

#### **25.1 Majority**

Subject to any statutory provisions to the contrary, any matter will be decided by a simple majority of those Members present and voting.

#### **25.2 Lord Mayor/Chairperson's casting vote**

If there are equal numbers of votes for and against, the Lord Mayor/Chairperson will have a second vote ie casting vote if they decide to use it. If the casting vote is not used the motion falls.



### 25.3 Qualified majority

A qualified majority is defined in the Local Government Act (Northern Ireland) 2014, S40 (2) as “80% of the votes of the Members present and voting on the decision”. This section applies to all standing committees as well as full Council. If the figure arrived at is not a whole number, the figure must be rounded up to the next highest whole number.

A qualified majority shall be required in relation to a Council’s decision on—

- a) the adoption of executive arrangements or prescribed arrangements as the Council’s form of governance (section 19 of the 2014 Act);
- b) the method, other than d’hondt, to be adopted for filling positions of responsibility (Schedule 1 of the 2014 Act);
- c) the method, other than quota of greatest remainder, to be adopted for appointing Councillors to Committees, (Schedule 2 of the 2014 Act);
- d) the exercise of the general power of competence in accordance with Section 79 of the 2014 Act;
- e) a call-in made in accordance with Section 41(1)(b) of the 2014 Act; and
- f) the suspension of standing orders. (Mandatory standing orders cannot be suspended)

### 25.4 Method of Voting

Unless a ballot or recorded vote is demanded under Standing Order 25.5, the Lord Mayor/Chairperson will take the vote by utilisation of the electronic voting system (where applicable) or by a show of hands, or if there is no dissent, by the affirmation of the meeting.

### 25.5 Recorded vote

Any Member present may request a recorded vote during the debate and prior to a vote being called. This will be recorded on the electronic voting system (where applicable) or by manual voting. The record will show whether each Member present and voting gave his/her vote for or against the question or abstained. In any matter that requires a qualified majority a recorded vote will be taken. A request for a recorded vote will take precedence over any other voting method.

## SECTION SEVEN – CALL-IN PROCESS

### **26. ‘Call-in’ Process (Mandatory)**

The Local Government (Northern Ireland) Act 2014 S41 requires Councils to make provision in their Standing Orders to reconsider a decision if **15%** of the Members of the Council’s present (rounded up to the next whole number if necessary) submit to the Chief Executive of the Council a requisition on either **or** both of the following grounds –



- a) that the decision was not arrived at after proper consideration of the relevant facts or issues
- b) that the decision would disproportionately affect adversely any section of the inhabitants of the district.

It is a statutory requirement that the Chief Executive must obtain the opinion of a practising barrister or solicitor before reconsideration of a requisition made wholly or partly under S41 (1) (b).

#### 26.1 Decisions subject to call-in

- (1) The following decisions may be subject to call-in in such manner as is specified in these standing orders -

- a) a decision of the Council
- b) a decision of the executive; (if one exists)
- c) an executive decision taken under joint arrangements in accordance with Section 26 of the 2014 Act;
- d) a decision taken by a Committee under delegated authority in accordance with section 7 of the 2014 Act; and
- e) a decision taken by a Committee to make a recommendation for ratification by the Council.

- (2) The following decisions shall not be subject to call-in

- a) a decision on a regulatory or quasi-judicial function which is subject to a separate appeal mechanism; e.g. a planning application decision made by the Planning and Regulatory Committee or enforcement action in relation to regulatory services
- b) decision which is deemed to be a case of special urgency in accordance with regulation 26 of the 2014 Executive Arrangements Regulations
- c) a decision where an unreasonable delay could be prejudicial to the Council's or the public's interests e.g. setting of the rate.
- d) any decision which serves only to note a report from or the actions of an officer or officers.

- (3) No decision shall be subject to call-in more than once for each of the reasons specified in section 41(1) of the 2014 Act.

#### 26.2 Call-in admissibility

- (1) A call-in shall be submitted in writing to the Chief Executive by 10am on the **fifth working day** following publication of the decision notice to which the call-in relates **using the agreed pro-forma**. Decision notices when issued for both Council and Standing Committees will specify the process for call-in and the deadlines for submission. If a call-in is received after the specified deadline, it shall be deemed inadmissible.

- (2) A call-in shall -
  - a) specify the reasons why a decision should be reconsidered; and
  - b) subject to Standing Order 26.2.5 of this standing order, be deemed to be inadmissible if the reasons are not specified.
- (3) In the case of a call-in submitted under Section 41(1)(b) of the 2014 Act, Members shall state in the reasons specified under Standing Order 26
  - a) the community that would be affected by the decision; and
  - b) the nature and extent of the disproportionate adverse impact.
- (4) Within **two working days** of receipt of a call-in, the Chief Executive shall confirm to all Members that -
  - a) the call-in has the support of **15 %** of the Members of the Council; and
  - b) that the reasons for the call-in have been specified.
- (5) Where the reasons have not been specified on the requisition the Chief Executive shall notify the Members making the requisition that it shall be considered inadmissible if reasons are not specified in writing within the specified deadline.
- (6) Within **two working days** of receipt of an admissible call-in submitted under Section 41(1)(b) of the 2014 Act, the Chief Executive shall seek the opinion of a practising solicitor or barrister in accordance with section 41(2) of the 2014 Act.
- (7) Where the legal opinion obtained in accordance with section 42(1) (b) of the 2014 Act confirms that the call-in has merit, the Chief Executive shall—
  - a) furnish the opinion to Members, and
  - b) include the decision on the agenda for the next available meeting of the Council, at which the matter will be decided upon, subject to a qualified majority.
- (8) Where the legal opinion obtained in accordance with section 42(1) of the 2014 Act indicates that the call-in does not have merit, the Chief Executive shall -
  - a) furnish the opinion to Members, and
  - b) make arrangements for the original decision to be implemented or tabled for ratification by the Council, as appropriate.



26.3 The call-in process: Committee arrangements

(1) For the purposes of reconsideration of a recommendation from a Committee pursuant to a call-in the decision notice of a committee which records a decision—

- a) taken under delegated authority; or
- b) subject to ratification by the Council

must be published **within 3 working days** of the conclusion of the Committee meetings. This date shall be regarded as the date of publication for the purposes of a call-in.

(2) If a call-in is not received by the deadline specified in paragraph 26.2.1 of this standing order, the decision specified in—

- a) paragraph 26.2.2 (a) of this standing order shall be implemented, or
- b) paragraph 26.2.2 (b) of this standing order must be tabled for ratification by the Council.

(3) The tabling for ratification of a decision specified in paragraph 26.3.1(b) of this standing order, or the implementation of a decision specified in paragraph 26.3.1(a) of this standing order, shall be postponed (unless the total level of support for the call-in falls below 15 % per cent of the Members) until the call-in has been resolved. The decision maker may rescind the decision at any time prior to the call-in being resolved.

(4) If an admissible call-in is made in accordance with standing order 26.2.2(a) and section 41(1)(a) of the 2014 Act, the Council shall appoint an ad hoc Committee of the Council, the membership of which will be—

- (a) the chairpersons of all Committees of the Council; and
- (b) the deputy chairpersons of all Committees of the Council to consider the process adopted by the decision-making Committee.

(5) The Chairperson and Deputy Chairperson of the Committee which was responsible for the decision which is the subject of the call-in shall not have voting rights at a meeting of the Committee appointed in accordance with standing order 26.3.4

(6) The Members who submitted the call-in, or a Member on their behalf, shall be invited to attend the meeting at which the decision subject to the call-in is considered and may, upon the request of the chairperson, address the meeting, but shall not have voting rights.



- (7) A Committee appointed in accordance with standing order 26.3.4 may —
- a) refer the decision back to the decision maker
  - b) in the case of a decision taken under delegated authority, support the decision; or
  - c) in the case of a decision for ratification by the Council, refer the decision to the Council.
- (8) Where a decision has been supported in accordance with standing order 26.2.8, that decision shall -
- a) be approved;
  - b) become operative from the date of the meeting at which the committee appointed in accordance with sub-paragraph (4) of this standing order confirmed support for the decision.

#### SECTION EIGHT – MANDATORY PROVISIONS

##### **27. Positions of Responsibility, etc. – Time Limits (Mandatory)**

- (1) Subject to standing order 27.2, in relation to positions of responsibility selected in accordance with paragraphs 2(1) and 2(2) of Schedule 1 to the 2014 Act, the period specified for -
- a) the nominating officer to select a position of responsibility and the term for which it shall be held; and
  - b) the person nominated to accept the selected position
- shall be 15 minutes.**
- (2) An extension to the period specified in standing order 27.1 may be granted subject to the approval of the Council. Such an extension may be requested by -
- a) the nominating officer;
  - b) the person nominated to hold the selected position; or
  - c) another Member.

##### **28. Appointment of More than One Committee (Mandatory)**

- (1) Where the Council appoints more than one Committee at the same meeting in accordance with paragraph 5 of Schedule 2 to the 2014 Act, for the purposes of determining the number of places that must be allocated across the parties and independent Members of the Council, it shall agree -
- (a) the number of Committees to be appointed; and
  - (b) the number of Councillors that shall constitute the membership of each Committee.



- (2) The total number of places to which a nominating officer of a party may nominate Councillors who stood in the name of that party when elected must be calculated in accordance with paragraphs 2 to 4 of Schedule 2 to the 2014 Act and any resolution of the Council made thereunder.
- (3) A nominating officer's function under paragraph 2(1)(b) of Schedule 2 to the 2014 Act shall be exercised in such manner as to ensure that -
  - (a) all Members of a Committee are not nominated by the same nominating officer
  - (b) a nominating officer of a party may nominate Councillors who stood in the name of that party to fill the majority of places on a Committee, if the majority of Councillors stood in the name of that party; and
  - (c) subject to (a) and (b), the number of Councillors nominated by each nominating officer of a party, in so far as is reasonably practicable, bear the same proportion to the number of places on that committee as is borne by the number of Members who stood in the name of that party.
- (4) Nominations made in accordance with standing order 28.3 shall take into account any positions of responsibility on a Committee held by a Councillor who stood in the name of a party.
- (5) Allocation of Committee places (for the full four year term of the Council) will ordinarily be made at the first Annual Meeting in an Election Year.

## **SECTION NINE – SUSPENSION, AMENDMENT & INTERPRETATION OF STANDING ORDERS**

### **29. Suspension and amendment of Standing Orders**

#### **29.1 Suspension**

A Member may move a motion for the suspension of one or more of these Council Standing Orders. A motion under this Standing Order shall require the support of a qualified majority vote within the meaning of Section 40 of the 2014 Act. Suspension can only be for the duration of the meeting. The Minutes of the meeting must record the reason for the suspension. Mandatory Standing Orders may not be suspended by a Council.

#### **29.2 Amendment**

Any motion to add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

### **30. Interpretation of Standing Orders**

The ruling of the Lord Mayor/Chairperson as to the interpretation, construction or application of any of these Standing Orders or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.



**GLOSSARY**

<b>2014 Act</b>	<b>Local Government Act (Northern Ireland) 2014.</b>
<b>2014 Executive Arrangements Regulations</b>	<b>Local Government (Executive Arrangements) Regulations (Northern Ireland) 2014.</b>
<b>2014 Standing Orders Regulations</b>	<b>Local Government (Standing Orders) Regulations (Northern Ireland) 2014.</b>
<b>Budget</b>	<b>The expenditure authorised by a Council under S3, Local Government Finance Act (Northern Ireland) 2011.</b>
<b>Call-In</b>	<b>A requisition for the reconsideration as provided for in section 41(1) of the 2014 Act – that is a provision within Standing Orders “requiring reconsideration of a decision if 15 per cent of the Members of the Council (rounded up to the next highest number if necessary)” present to the Clerk a requisition on either or both of the following grounds: a) That the decision was not arrived at after a proper consideration of the relevant facts and issues; b) That the decision would disproportionately affect adversely any section of the inhabitants of the district.</b>
<b>Chief Executive (Clerk)</b>	<b>Chief Executive (Clerk) to the Council appointed under S41 of the Local Government Act (Northern Ireland) 1972.</b>
<b>Committee</b>	<b>Committee appointed under S7, 2014 Act.</b>
<b>Delegated Authority</b>	<b>Discharge of a function under authority fixed by a Council under S7, 2014 Act.</b>
<b>Decision maker</b>	<b>The body or person making an executive decision, a decision under delegated authority or a key decision.</b>
<b>Minutes</b>	<b>The official record of a Meeting, providing a summary of points to be remembered – it need not be verbatim.</b>
<b>Executive</b>	<b>A cabinet-style Executive or a streamlined Committee Executive as provided for in section 21(2) of the 2014 Act.</b>
<b>Executive decision</b>	<b>A decision taken by a decision maker in connection with the discharge of a function which is the responsibility of the Executive of a Council.</b>
<b>Qualified Majority</b>	<b>Defined in S40(2), 2014 Act as “in relation to a decision of a Council means 80 per cent of the votes of the Members present and voting on the decision”. This section applies to Standing Committees as well as Full Council.</b>
<b>Member</b>	<b>Means a Member of the Council / Councillor.</b>
<b>Motion</b>	<b>Refers to any proposal, recommendation or matter formally submitted to Council with possible adoption as a resolution.</b>
<b>Point of Order</b>	<b>Refers to an interjection by a Member, who does not have the floor, to call to the Chairperson’s attention an alleged breach of the Standing Orders.</b>
<b>Policy framework</b>	<b>The policies and procedures agreed by Council in relation to the delivery of a function / functions of Council.</b>
<b>2000 Act</b>	<b>Political Parties, Elections and Referendums Act 2000.</b>



<b>Nominating Officer</b>	<b>The person registered under the 2000 Act as the party's nominating Officers: or A Member of the Council nominated under the 2000 Act for the purposes of Schedule 1 to the 2014 Act.</b>
<b>Party</b>	<b>A party registered under the 2000 Act in the Northern Ireland register.</b>
<b>Working day</b>	<b>A full day (9am – 5pm) – Monday to Friday E.g. three working days would be from 9am Monday until 5pm Wednesday. Please note: public and statutory holidays are not included as 'working days'</b>
<b>Summons of Meeting</b>	<b>The Notice of Meeting and Agenda items, which can include electronic format.</b>

**Appendix 1**

**ARMAGH CITY, BANBRIDGE AND CRAIGAVON BOROUGH COUNCIL  
REMOTE MEETINGS PROTOCOL MAY 2020**

**1. INTRODUCTION/BACKGROUND**

- 1.1. As part of the overall emergency response to the current COVID 19 pandemic The Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (Northern Ireland) 2020 (the “**Regulations**”), which came into operation on the 1<sup>st</sup> of May 2020, makes provision for remote attendance at, and remote access to Council meetings.
- 1.2. The Regulations enable the Council to hold meetings without all, or any, of the Members being physically present in a room. They allow for remote meetings through electronic and digital means at remote locations using video and telephone conferencing, live webcast and live interactive streaming. In order for Members to be able to attend meetings of the Council remotely, they need not be physically present, provided they are able to hear and be heard (and where practicable, see and be seen by) other Members and members of the public attending remotely or in person.
- 1.3. The new Regulations will require a significant procedural and cultural change on how the Council conducts its meetings. This will be a challenging time for everyone and with this in mind and in line with the new Regulations, a new Protocol has been designed to provide a guide to remote formal meetings to help members, officers and the public. Mandatory Standing Orders remain in place and the process for ‘call-in’ will remain unchanged. The provisions of the Code of Conduct apply to remote meetings of the Council in the same way as they do to physical meetings.

**2. REMOTE PLATFORMS**

- 2.1. Council meetings will take place using Zoom. The meetings will be facilitated by a team of Officers from Democratic Services and ICT.



- 2.2. Papers for meetings will be uploaded as per normal procedure on the decision time software and it is recommended that Members/Officers use Council provided iPads to access the papers and to use their Council provided Laptops to actively follow and participate in the remote meeting through the meeting's video conferencing platform.
- 2.3. The Zoom platform has a 'raise your hand' icon and a 'Chat' function where messages can be typed to all or some selected participants of the remote meeting when it is taking place. All Members, with the exception of the Chair, are asked not to use the Chat function unless asked to do so by the Chair.

### 3. PRACTICAL ARRANGEMENTS FOR RUNNING A REMOTE MEETING

#### *Members Joining a Remote Meeting*

- 3.1. Access details for the remote meeting will be sent directly to Members and participating Officers by Democratic Services. Access details must be kept secure and confidential and not shared with any other person.
- 3.2. Members are encouraged to join the meeting promptly (i.e. at least twenty minutes before the scheduled start time) in order to resolve any issues with joining and avoid disrupting the meeting. The Chair will remind Members to mute microphones when not speaking. This is done in order to reduce feedback and background noise.

#### *Registering Attendance and Meeting Etiquette*

- 3.3. At the start of the remote meeting the Chair will welcome Members and announce any apologies submitted in advance. An opportunity will also be offered for any additional apologies to be noted, on behalf of a Member, by those in attendance.
- 3.4. The Chair will repeat the requirement under the Regulations that Members who are in remote attendance must be able to hear and be so heard by other Members in attendance and members of the public. The Chair will ask, via the Chat function, that Members identify themselves if they cannot hear the meeting. If it is not possible to address the fault within a reasonable period of time, and the meeting remains quorate, any Members not in compliance will be asked not to participate or vote in the meeting until they are in compliance with the Regulations.



- 3.5. All Members and Officers except the Chair are asked to keep their microphones on mute unless invited to speak. Any Member returning after a disconnection is asked not to interrupt when returning to announce their return.
- 3.6. If a Member joins, the remote meeting after it has formally commenced the Chair and/or Democratic Services will announce their attendance and will seek confirmation that there is still compliance with the Regulations. The Member should indicate in the Chat function whether they have any declarable interests in the items on the agenda. If Members are aware that they may be late to the meeting, they should inform Democratic Services as soon as they become aware.

#### ***Non-Attendance during a Remote Meeting***

- 3.7. It may become necessary during a meeting for a Member to cease attending either in part or for the remainder of a meeting, which may be due to the loss of remote connectivity. Non-attendance means either where a Member cannot hear the participants of the remote meeting or cannot be heard by them, a loss of visual connectivity would not lead to non-attendance.
- 3.8. The Chair, with the assistance of Officers, will ensure that a quorum is maintained and in the event that it is not, the meeting will be adjourned in accordance with Standing Orders.
- 3.9. Members in attendance wishing to leave the meeting before it finishes should, where possible, notify the Chair before leaving the meeting. Members should use the Chat function to indicate they are leaving, the Chat and times of entry are recorded after the meeting for reference. This will allow formal minutes to record the time and agenda item at which point the Member left the meeting.

#### ***The Remote Environment***

- 3.10. The remote meeting will be live streamed and viewed by the public (unless it is conducting a matter which is confidential or exempt information under the Local Government Act (NI) 2014) (**Confidential Business**). A Member attending will be using the camera and microphone on their electronic device i.e. Council issued laptop.



- 3.11. When attending a remote meeting, a Member should ensure they are sitting in front of their electronic device so that they can be seen and heard clearly. Ensure you are well lit and in silhouette against a bright background. Your head and shoulders should remain in the frame at all times.
- 3.12. The Member should consider the background also captured by the camera and ensure it is appropriate to the meeting. The video conferencing facility has a feature which allows members to blur out their background.
- 3.13. Members must notify Democratic Services about any connectivity issues, which will affect their participation in a remote meeting, as far in advance of the meeting as is possible.
- 3.14. Sound quality is important, choose a quiet room. The Member should also take reasonable steps to ensure they will not be disturbed during the meeting.
- 3.15. Members should ensure that documentation which includes Confidential Business or contains personal data is not in view of the camera.

#### ***Protocol for Members Speaking at Meetings***

- 3.16. Members who wish to speak during a meeting will need to click on the 'raise your hand' icon. The Chair and Democratic Services will be able to see all those who have indicated they wish to speak and will come to each Member in turn, the Chair has absolute discretion as to the order in which they take speakers.
- 3.17. When a Member is invited to speak by the Chair, they should unmute their microphone to enable them to be heard in the meeting.
- 3.18. If it is not practicable for a Member to broadcast their video whilst speaking to the Council, that Member will be permitted to switch their camera off and speak using the audio facility only.
- 3.19. All participants should keep their contributions as short and succinct as possible. The Chair of the meeting must maintain strict control. Where a degree of cross-Chamber/party conversations may be tolerated in a conventional meeting, such behaviour in a video conference will render the meeting inaudible to all.



- 3.20. After preliminaries, the Chair will normally invite each relevant Officer to present each item in turn. At the conclusion of the Officer presentations, the Chair will invite Members in turn to speak. Members may indicate if they wish to speak by clicking on the 'raise your hand' icon.
- 3.21. Members may only speak when invited to do so by the Chair. Only one Member may speak at any one time.
- 3.22. When referring to reports or making specific comments, Members should refer to the report and page number in the agenda document pack so that all Members have a clear understanding of what is being discussed at all times.
- 3.23. When the Member has finished speaking, they must remember to switch their microphone to mute once again.
- 3.24. If at any time during the course of the meeting a Member is unable to hear or see a presentation or debate in relation to an item, they should inform the Chair as soon as they are able to. If a Member is not satisfied that they heard the entirety of the presentations and debate it will be necessary for the Member to refrain from taking part in the vote. If this is the case, the reasons for this will be noted by the Clerk.
- 3.25. Once the Chair is satisfied that there has been adequate discussion, unless there has been a Motion to adjourn or defer a particular matter, the Chair will progress to making a decision.
- 3.26. The remote meeting will finish when the Chair formally closes the meeting.

#### **4. PROCEDURAL ISSUES**

##### ***Declarations of Interest***

- 4.1. At the commencement of the meeting, the Chair will ask Members to declare whether they have an interest in any items on the agenda. If a Member has a declarable interest, they will need to click on the 'raise your hand' icon. The Chair will then ask each Member in turn, who has indicated that they have a declarable interest, to unmute their microphones and declare their interest.



- 4.2. If an interest is declared and the Member indicates that he/she wishes to leave the remote meeting for the duration of the discussion to which the declaration refers, the Chair will move their electronic access to a remote 'Waiting Room' and then enable their access to the remote meeting again at the end of the agenda item.

### ***Motions***

- 4.3. Members will have the ability to submit Motions to Council as set out in the Standing Orders.

### ***Amendments***

- 4.4. Amendments can be taken if they relate the proposal and only one amendment can be taken at any time. An amendment is voted on first and, if successful, it becomes the substantive Motion.

### ***Rules of Debate***

- 4.5. The usual rules of debate apply to remote meetings and the Chair will announce each Member when inviting them to speak, to aid transparency and assist those attending by watching the live stream.

### ***Point of Order***

- 4.6. If a Member has a Point of Order to raise during a meeting, they will need to click on the 'raise your hand' icon. The Chair will then invite that Member to unmute their microphone and speak. Having spoken, the Member must remember to mute their microphone again.

### ***Adjournments***

- 4.7. In accordance with Standing Orders, the Chair has the power to adjourn a meeting for a temporary period. If the Chair advises of a temporary adjournment to a remote meeting, all Members must remain in attendance with their microphones on mute, until the Chair instructs otherwise.



### **Chair**

4.8. The Chair has absolute discretion to pause or adjourn meeting proceedings. The ruling of the Chair as to the interpretation, construction or application of this Protocol or as to any proceedings of the Council shall not be challenged at any meeting of the Council and is final.

### **Voting**

4.9. If an item is not, in the opinion of the Chair, contentious, the Chair will ask Members whether they disagree or want to abstain ('are Members all agreed'). If a Member *does not agree* or *wishes to abstain* they will need to click on the 'raise your hand' icon. The Chair will then invite that Member to unmute their microphone and speak. When the Member has finished speaking, they must remember to switch their microphone to mute once again.

4.10. If there is no dissent the Motion will be taken as carried, this will be regarded as 'the affirmation of the meeting'. If there is dissent from Members the item will move to a vote, as set out under paragraph 4.11 below.

4.11. If there is dissent on an item or the item is deemed by the Chair to be contentious a vote will be carried out. The Chair will ask all Members to turn their microphones on (and broadcast their video where practicable). The Chair will then read out the name of each Member in turn in alphabetical order and ask them how they wish to vote. Each Member will need to unmute their microphone and say either:

- **For**
- **Against**
- **Abstain**

for the Motion or amendment that has been proposed.

4.12. Once a Member has given their vote then microphones should be muted again. The Chair supported by the Democratic Services Officer minuting the meeting will manage voting. The Democratic Services Officer minuting the meeting will record the outcome of the voting and announce it at the meeting.



- 4.13. Details of how Members voted will not be retained or minuted unless a recorded vote is called for.
- 4.14. In the event a Member is/was prevented from accessing a meeting/or part of meeting due to a technical fault, and is/was therefore prevented from voting on an item, a decision of the Council will remain valid as long as the meeting was quorate when the vote was taken.

### ***Confidential Business***

- 4.15. If a resolution is passed for the meeting to go into 'confidential' to consider Confidential Business, the live streaming of the meeting will immediately stop to ensure that no member of the press or public can view proceedings. During this time, the public and press will see only a screen which shows the Council's logo.
- 4.16. It is the responsibility of the Member participating in a private session of a meeting, to ensure that the meeting cannot be seen or heard by any other person at their remote location.
- 4.17. Once in confidential, the Chair will ask Members who are not in a secure or private location to identify themselves by clicking on the 'raise your hand' icon. The Chair will proceed to move those Members' electronic access to a remote 'Waiting Room' for the duration of the confidential meeting.
- 4.18. Once all Confidential Business has been dealt with any Members in the Waiting Room will be returned to the main meeting and the meeting will be live streamed to the public and press again.

### **Access to Documents**

- 4.19. Democratic Services will publish the agenda and reports for Committee meetings on the Council's website and will notify Members by email. Printed copies will not be circulated and nor will they be available for inspection at the Council's offices.



### ***Public Access***

- 4.20. A link for members of the public and press to access the meeting will be included on the Council's website. Information and instructions on how to access the meeting will also be provided on the Council's website.
- 4.21. The requirement to ensure meetings are open to the public will now include access by remote means, including video conferencing and live webcast.
- 4.22. If members of the public lose all remote access to the meeting due to a technical fault the meeting will be adjourned until the fault is addressed. If the fault cannot be addressed after a reasonable period and the public remain unable to access the meeting, the meeting will be abandoned until such time as it can be reconvened.

### ***Recording Meetings***

- 4.23. The video conferencing platform has a facility for recording meetings. All remote meetings will be recorded.

### ***Dealing with Technical Difficulties***

- 4.24. In the event that the Chair or the Democratic Services Officer hosting the meeting identifies a failure of the remote participation facility, the Chair will declare an adjournment while the fault is addressed.
- 4.25. If it is not possible to address the fault within a reasonable period of time and the meeting is inquorate, the meeting will be abandoned until such time as it can be reconvened. If the meeting is quorate, the Chair will decide if this meeting should continue depending on the difficulties being experienced, or whether it should be adjourned until a later time or date.
- 4.26. If a meeting is abandoned due to technical difficulties a report shall be prepared by Democratic Services for Party Leaders providing an explanation of what went wrong, what is being done to recover any lost data and how we will mitigate issues in the future.



### ***Members Conduct***

4.27. The Chair's powers to deal with issues of disturbance shall continue to apply. If a motion is passed that a Member must leave a remote meeting, the Chair can terminate the Member's access to the meeting.

### ***Documents Open to Public Inspection***

4.28. Any reference in Council Standing Orders to a document being available for public inspection at the Council's offices will now be satisfied by being published on the Council's website only.

### ***Following a Remote Meeting***

4.29. The streaming and recording of remote meetings does not replace the formal minutes of the meeting and the decisions made. The Council will continue to produce formal minutes and agendas, which will be retained in line with legislative guidance.

## **5. INTERPRETATION AND REVIEW OF THIS PROTOCOL**

This Protocol will be kept under review and any suggestions or comments on the Protocol can be addressed to the Council's Head of Governance and Democratic Services who will have authority to make minor changes in consultation with the Chair. Any changes that are more substantial will be reported back to the Council for approval.