

LEICESTERSHIRE POLICE AUTHORITY

STANDING ORDERS FOR THE REGULATION OF THE BUSINESS OF THE POLICE AUTHORITY

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STANDING ORDER 1

Meetings of the Authority

- (1) The Authority shall hold an annual meeting between 1 April and 30 June (inclusive) each year. The first item of business on the agenda for the annual meeting shall be the appointment of Chairman and Vice-Chairman for the ensuing year. The annual meeting will also appoint members to the committees and panels of the Authority.
- (2) The Authority may fix meetings ("ordinary meetings") of the Authority for the transaction of general business. The Authority may vary the date of any meeting.
- (3) Unless the Authority otherwise determines, all meetings of the Authority shall be held at 2.00 p.m. on a weekday.
- (4) The Clerk to the Authority shall convene an extraordinary meeting of the Authority if requested to do so by:
 - (a) the Authority by resolution;
 - (b) the Chairman;
 - (c) any 3 members of the Authority.

The request shall state the reason for the meeting. The business to be conducted at an extraordinary meeting shall be restricted to the matters in the request.

- (5) An extraordinary meeting of the Authority shall not be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 to the Local Government Act 1972.

STANDING ORDER 2

Appointment of Chairman and Vice-Chairman

- (1) The names of any members nominated for the position of Chairman or Vice-Chairman of the Authority shall be provided to the Clerk, in writing, at least 7 working days before the annual meeting. All names shall be proposed and seconded by members of the Police Authority and these details will be published by the Clerk in the agenda for the annual meeting.
- (2) If the number of nominations exceeds the number of vacancies there shall be a secret ballot of the members present at the meeting in which each member of the Authority may vote for as many candidates as there are vacancies to be filled. Any ballot shall be conducted by the Clerk, whose return shall be final and conclusive. No candidate shall be appointed unless the number of votes cast in his favour exceeds half the number of persons voting. If in any ballot no candidate receives the number of votes entitling him to be appointed, the names of those who receive no votes and the name of the one who receives the least number of votes shall be struck off the list and fresh ballots taken until all the vacancies are filled.
- (3) In the event of two candidates securing an equality of votes then the matter shall be determined by the drawing of lots.

STANDING ORDER 3

Chairman of the Meeting

Any power or duty of the Chairman in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

STANDING ORDER 4

Quorum

If during any meeting of the Authority the Chairman after counting the number of members present declares that there is not a quorum* present the meeting shall stand adjourned. The consideration of any business not transacted shall be adjourned, to a time fixed by the Chairman at the time the meeting is adjourned or, if he does not fix a time, to the next ordinary meeting of the Authority.

*The quorum prescribed by statute for meetings of the Authority is one quarter of the whole number of members.

STANDING ORDER 5

Minutes of the Authority

- (1) At a meeting of the Authority at which minutes of a previous meeting are submitted for approval as a correct record, the Chairman shall move that those minutes be so approved.
- (2) No motion or discussion shall take place upon the minutes, except upon their accuracy, and any matter concerning their accuracy shall be raised by amendment.
- (3) If no such matter is raised, or if it is raised then as soon as it has been disposed of, the Chairman shall sign the minutes.

STANDING ORDER 5A

Questions by the Public

- (1) At each ordinary meeting of the Authority, 20 minutes shall be set aside for questions from any resident of the Leicestershire Constabulary area who is present at the meeting concerning the work of the Police Authority.
- (2) No such question shall be asked unless it shall have been put to the Clerk to the Authority no later than 12 noon two days before the Authority meeting.
- (3) The Clerk may reject the question if it:
 - (a) is not about a matter for which the Police Authority has a responsibility or which affects the Leicestershire Constabulary area (- questions not related to Police Authority business will be directed to the appropriate body);
 - (b) is defamatory, frivolous or offensive;
 - (c) is substantially the same as a question which has been put at an Authority meeting in the past ten months; or

- (d) requires the disclosure of confidential or exempt information
- (4) The Chairman will reply or invite the relevant member or officer to reply to the question. Such reply shall not exceed 5 minutes. At the discretion of the Chairman, a supplementary question may be asked if arising directly from the reply provided that the original allocation of 5 minutes is not exceeded.
 - (5) In the event of there being more than one question, the questions shall be asked in the order received. At the expiry of the 20-minute period, or after the reply to the final question, whichever shall first occur, the Authority will proceed to the next business unless the meeting consents to a longer period.
 - (6) The questions put and the answers given shall be minuted.
 - (7) Unless the Chairman decides otherwise, no discussions will take place on any question, but any member may move that a matter raised by the question be referred to the appropriate committee. Once seconded, such a motion shall be voted on without discussion.

STANDING ORDER 6

Questions by Members

- (1) At a meeting of the Authority a member may ask the Chairman of the Authority, any question relating to the business of the Authority.
- (2) At a meeting of any committee, any member of the Authority who is present may ask the chairman of that committee a question on any matter in relation to which that committee has delegated or referred functions.
- (3) The question shall be submitted in writing to the Clerk not less than five working days before the meeting at which the member proposes to ask the question subject to paragraph (4) below (urgent business).
- (4) The chairman of the meeting may, in his discretion, waive the five day rule required by paragraph (3) above. The question shall, if possible, be delivered to the Clerk not later than 10.00 a.m. on the working day before the meeting.
- (5) After a question has been replied to, the member who asked it may ask one supplementary question for the purpose of clarifying the reply which has been given. A member asking such a supplementary question shall confine himself to the substance of the original question, and shall not introduce any new matter which did not fall within the scope of his original question. In paragraphs (6) - (9) of this Standing Order, the word "question" shall include such a supplementary question.
- (6) Every question shall be put and answered without discussion.
- (7) No resolution shall be moved with reference to any question or reply to a question.
- (8) If the chairman of the meeting is of the opinion that the question is out of order, or of a personal character, or in the interests of the Authority it is undesirable, he shall so inform the member and shall not allow the question to be put.

- (9) Questions asked in pursuance of the above paragraphs of this Standing Order shall be recorded in the minutes of the meeting, and the Clerk shall supply the questioner with a copy of the replies thereto within 7 working days after the meeting.

STANDING ORDER 7

Motions and Amendments Generally

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded, and it shall, if required by the Chairman, be put into writing and handed to the Chairman before it is further discussed or put to the meeting.
- (2) A member may not propose or second a motion or amendment on which he is disqualified from voting.

STANDING ORDER 8

Motions Affecting Persons Employed by the Authority

If any question arises at a meeting of the Authority or a committee as to the appointment, promotion, dismissal, salary, superannuation, conditions of service or the conduct of any police officer or any person employed by the Authority, such question shall not be the subject of discussion until the Authority or committee, as the case may be, has decided whether or not the power of exclusion of the public under Section 100A of the Local Government Act 1972, shall be exercised.

STANDING ORDER 9

Amendments to Motions

- (1) An amendment shall be relevant to the motion and shall be either:-
- (a) to refer a subject of debate to a committee for consideration or re-consideration;
 - (b) to leave out words;
 - (c) to leave out words and add others;
 - (d) to add words;
- provided that the effect of (b) to (d) is not to negate the motion.
- (2) If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

STANDING ORDER 10

Alterations or Withdrawal of Motion or Amendment

- (1) A member may alter a motion which he has moved, with the consent of both the meeting and the seconder. The meeting's consent shall be signified without discussion. Only alterations which could be made as an amendment may be made. The altered motion or amendment shall, if required by the Chairman, be reduced into writing and handed to him before the consent of the Authority to the alteration is sought.
- (2) A member may withdraw a motion which he has moved, with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

STANDING ORDER 11

Conduct of Members

- (1) A member shall direct his speech to the question under discussion or to a personal explanation or to a point of order and shall not impute motives or use offensive expressions to or about any other member.
- (2) If any member, in the opinion of the Chairman, behaves improperly or offensively or deliberately obstructs business, the Chairman or any other member may move "That the member named be not further heard at this meeting", and such motion if seconded shall be put and determined without discussion.
- (3) If the member named continues his misconduct after a motion under (2) above has been carried, the Chairman shall either:-
 - (a) move "That the member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion); or
 - (b) adjourn the meeting for such period as he shall consider expedient.

STANDING ORDER 12

Points of Order and Explanations

- (1) A member may rise on a point of order or in personal explanation, and shall be entitled to be heard immediately. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision, and the member shall specify the Standing Order or statutory provision and the way in which he considers it has been broken. A personal explanation shall be confined to some material part of a former speech by him which may appear to have been misunderstood in the present debate.
- (2) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

STANDING ORDER 13

Next Business, etc.

- (1) A member who seeks to avoid a decision being taken on a matter under discussion may, at the conclusion of a speech of another member, unless the Chairman considers that the matter has been insufficiently discussed, move "that the Authority proceed to the next business" or, if there is no other business to be transacted, "that the Authority adjourn".
- (2) The proposer of such a motion may speak thereon but the seconding of the motion shall be formal and without comment or debate.
- (3) On the seconding of the motion, the Chairman shall first give the mover of the original motion an opportunity to speak on it and then put to the vote the motion to proceed to the next business or to adjourn the meeting.
- (4) If that motion is carried, the original motion shall be considered withdrawn.

STANDING ORDER 14

Adjournment of Debate

- (1) A member who seeks to interrupt a debate so that it may be continued at a later hour or on another occasion may, at the conclusion of the speech of another member, move that the debate be adjourned to that hour or occasion.
- (2) If the member does not specify an hour or occasion, the motion shall be deemed to intend that the debate shall be resumed at the next ordinary or annual meeting of the Authority, whichever shall first occur.
- (3) The proposer of such a motion may speak thereon but the seconding of the motion shall be formal and without comment or debate except that the mover of the original motion may speak on it.
- (4) On the resumption after adjournment of an interrupted debate, the Authority shall proceed to the further consideration of the adjourned business as though the meeting had been continuous for the purposes of these Standing Orders.

STANDING ORDER 15

Closure

- (1) A member may at the conclusion of the speech of another member move "that the proposition under discussion be now put" (which is in this Standing Order referred to as "the closure").
- (2) The proposal and seconding of the closure shall be formal and without comment or debate. The closure shall be put immediately to the vote unless the Chairman considers that the original proposition has been insufficiently discussed.
- (3) If the closure is carried, the motion or amendment which is the subject of the interrupted debate shall be put without further discussion, subject to the mover of the original motion, first having a right of reply.

STANDING ORDER 16

Appointments by the Authority

- (1) Every candidate nominated to represent the Authority in any capacity or for any position to be filled by the Authority shall be openly proposed and seconded.
- (2) At the close of nominations the Chairman shall state the names of the candidates who have been duly proposed and seconded and the number of vacancies to be filled if the number is limited.
- (3) If the number of nominations does not exceed the number of vacancies or if the number of vacancies is not limited the Chairman shall immediately put the appointment of the duly nominated candidates collectively as a substantive motion upon which no amendment may be moved.
- (4) If the number of nominations exceeds the number of vacancies there shall be a secret ballot of the members present at the meeting in which each member of the Authority may vote for as many candidates as there are vacancies to be filled.
- (5) Any ballot shall be conducted by the Clerk whose return shall be final and conclusive.
- (6) No candidate shall be appointed unless the number of votes cast in his favour exceeds half the number of persons voting. If in any ballot no candidate receives the number of votes entitling him to be appointed, the names of those who receive no votes and the name of the one who receives the least number of votes shall be struck off the list and fresh ballots taken until all the vacancies are filled.

STANDING ORDER 17

Voting

- (1) Every proposition shall, unless otherwise required by these Standing Orders or Statute, be determined by show of hands or, at the discretion of the Chairman, by voices.
- (2) In taking the votes on any proposition, those members only shall be entitled to vote who are present in the room when the proposition is put from the Chair.
- (3) After a proposition is put from the Chair but before the vote is taken, any three members by show of hands may require that the voting shall be recorded in the minutes of the meeting so as to show whether each member present gave his vote for or against that proposition or abstained from voting.
- (4) Where immediately after a vote is taken any member so requires, there shall be recorded in the minutes of the proceedings of that meeting whether that person cast his vote for the question or against the question or whether he abstained from voting.
- (5) Voting on the motion setting the precept shall be recorded in the minutes of the meeting to show whether each member present gave his vote for or against that proposition or abstained from voting.

STANDING ORDER 18

General Disturbances

- (1) If a member of the public interrupts the proceedings at any meeting the Chairman shall warn him. If he continues the interruption the Chairman shall order his removal from the room. In case of general disturbance in any part of the room open to the public the Chairman shall order that part to be cleared.
- (2) If, in the opinion of the Chairman, misconduct or obstruction renders the due and orderly dispatch of business impossible, the Chairman, in addition to any other power vested in him, may without the question being put suspend the meeting for a period not exceeding 30 minutes.

STANDING ORDER 19

Canvassing of and Recommendations by Members

- (1) Canvassing of members of the Authority, or any committee or subcommittee of the Authority, directly or indirectly for any appointment under the Authority or as a police officer, shall disqualify the candidate concerned for that appointment. The purport of this paragraph of this Standing Order shall be included in any form of application.
- (2) A member of the Authority shall not solicit for any person any appointment under the Authority or as a police officer, but this shall not preclude a member from giving a written testimonial of a candidate's ability, experience, or character for submission to the Authority or the Chief Constable with an application for appointment.

STANDING ORDER 20

Relatives of Members or Employees

- (1) A candidate for any appointment under the Authority who knows that he is related to any member or employee of the Authority shall disclose that relationship in his application. A candidate who fails to disclose such a relationship shall be liable to be disqualified for the appointment and if appointed shall be liable to dismissal without notice.
- (2) Every member and senior officer of the Authority shall disclose to the Clerk any relationship known to him to exist between himself and any person whom he knows is a candidate for an appointment under the Authority.
- (3) The purport of this Standing Order shall be included in any form of application.
- (4) For the purpose of this Standing Order "senior officer" means any officer so designated by the Authority, and persons shall be deemed to be related if they are husband and wife, or if either of them or the spouse of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the other, or of the spouse of the other.

STANDING ORDER 21

Record of Attendances

Every member attending a meeting of the Authority, or of any of its committees or subcommittees of which he is a member, shall sign his name in the attendance book or sheet provided for that purpose.

STANDING ORDER 22

Custody of Seal

The common seal of the Authority shall be kept in a safe place in the custody of the Clerk.

STANDING ORDER 23

Sealing of Documents

- (1) The common seal of the Authority shall not be affixed to any document unless the sealing has been authorised by a resolution of the Authority or of a committee or subcommittee to which the Authority has delegated its powers in this behalf, but a resolution of the Authority (or of a committee or subcommittee where that committee or subcommittee has the power) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial or address, the making of any contract, issuing a precept, or the doing of any other thing, shall be sufficient authority for sealing any document necessary to give effect to the authorisation.
- (2) The seal shall be attested by the Clerk or other person duly authorised in writing by him and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be authenticated by the person who has attested the seal.

STANDING ORDER 24

Meetings of Committees and Subcommittees

- (1) The Chairman of a committee or subcommittee or the Chairman of the Authority may cause a special meeting of the committee or subcommittee to be called at any time.
- (2) A special meeting of a committee or subcommittee shall be called on the request of at least one quarter of the whole number of members of the committee or subcommittee by notice in writing signed by them and given to the Clerk and specifying the business for which the meeting is to be called.

STANDING ORDER 25

Proceedings of Committees and Subcommittees

- (1) The quorum of every committee and subcommittee, unless a special quorum is otherwise prescribed, shall be one quarter (rounded up to a whole number) of the

committee or subcommittee, provided that in no case shall a quorum of a committee or subcommittee be less than three members.

- (2) Any Authority member may attend as an observer at meetings of committees and subcommittees to which he has not been appointed as a member, including for items of business from which the public has been excluded (except those committees and subcommittees which the Authority may from time to time determine for the purposes of this Standing Order).

If given permission by the Chairman of the meeting, a member attending as an observer may speak (but not vote) on any matter.

(Note: The Authority has determined the following as exceptions for the purposes of Standing Order 25(2):-

- (a) the Appeals Committee of the Authority and any conditions of service committee or any other committee or subcommittee established to consider individual cases under any grievance or disciplinary procedures for employees of the Authority or for Police Officers;
 - (b) committees or subcommittees established to consider individual cases of salary grading or appointments;
 - (c) Standards Committee meetings.
- (3) Subject to the provision of Section 100B of the Local Government Act 1972, all committee and subcommittee reports and all documents marked as "confidential", "exempt" or "not for publication" shall be treated as confidential until they become public in the ordinary course of the Authority's business.
 - (4) No act of a subcommittee shall have effect until approved by the appointing committee except to the extent that the committee has itself power to act without the approval of the Authority and the power so to act has been conferred upon the subcommittee.
 - (5) In addition to those Standing Orders which expressly relate to committees or subcommittees, Standing Orders 4 to 18 inclusive (other than Standing Order 5A), shall apply with any necessary modification to committees and subcommittees.

STANDING ORDER 26

Chairman of Committees and Subcommittees

- (1) Subject to (3) below, the Chairman of each Committee shall be appointed at the Authority's annual meeting. Only the votes of members appointed to a committee shall be counted on the motion to appoint its Chairman. In the event of a casual vacancy during the year, the Chairman shall be appointed at the next committee meeting. The Chairman of a committee or sub-committee shall hold office until the next annual meeting of the Authority, unless he resigns or ceases to be a member of that committee.
- (2) The appointment of the Chairman of a committee or subcommittee shall be conducted in the same way as an appointment is required to be made by the Authority under Standing Order 16.

- (3) Standards Committee shall appoint its Chairman at its first meeting after the annual meeting of the Authority. The Chairman shall hold office until the first Standards Committee meeting after the next annual meeting of the Authority unless he resigns or ceases to be a member of that committee. In the event of a casual vacancy the Chairman shall be appointed at the next committee meeting.
- (4) If the Chairman of a committee or subcommittee is absent from a meeting of the committee or subcommittee, the members present shall choose one of their number to preside over the meeting, subject to paragraph (5) of this Standing Order.
- (5) If the Chairman of a committee or subcommittee arrives at a meeting after the time for which the meeting has been summoned, he shall preside over the meeting after any question under discussion on his arrival has been disposed of, but not before then.

STANDING ORDER 27

Variation and Revocation of Standing Orders

Any motion to add to, vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion to the next ordinary or annual meeting of the Authority, whichever shall first occur.

STANDING ORDER 28

Suspension of Standing Orders

- (1) Subject to paragraph (2) of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.
- (2) A motion to suspend any of the preceding Standing Orders shall not be moved unless there shall be present at least one half of the whole number of the members of the Authority.

STANDING ORDER 29

Interpretation of Standing Orders

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 not be challenged at any meeting of the Authority.

[Made by the Police Authority on 16 September 2003 (minute 54/03), amended by minute 05/05 of 27 January 2005.]