
Proposed changes to Part 4, Section 1, Council Standing Orders

(Additions are shown in bold italic text with deletions struck through)

Order of Business; Time Limits

2.23 The order of business at a meeting of the County Council shall be determined by the Chairman, in consultation with political group leaders. Items of high significance are likely to be prioritised on the agenda. Business may include any of the following, at the Chairman's discretion, and subject to any statutory requirements:

- (a) To choose a member other than a member of the Cabinet to preside if the Chairman and Vice-Chairman of the County Council are absent;
- (b) When required by statute, to elect a Chairman;
- (c) When necessary, to appoint a member of the County Council to be Vice-Chairman;
- (d) Members' interests;
- (e) To consider whether the minutes of the last meeting of the County Council are a correct record;
- (f) Where necessary to appoint a member to fill a vacancy which has arisen on any committee;
- (g) To deal with business required by statute to be done at the meeting;
- (h) To deal with business specially brought forward by the Chairman;
- (i) To receive an address from a Cabinet Member under Standing Order **2.32** ~~2.34~~;
- (j) To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 3.43(a);
- (k) To deal with business remaining from the last meeting, if any;
- ~~(l) To consider notices of motion received in accordance with Standing Order 2.45;~~
- (l) To receive for consideration or approval any matter from a non-executive committee relevant to the business of that committee.**
- (m) To receive and consider strategies or plans within the Policy Framework and any departure or variations from them, and any report of a non-Executive committee where officers' recommendations have not been accepted;
- (n) To answer questions asked pursuant to Standing Order 2.41;
- (o) To consider notices of motion received in accordance with Standing Order 2.45;**

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- (pe) To consider any reports from scrutiny committees pursuant to Standing Order **7.12** ~~8.14~~;
 - (qp) To consider any reports from the Health and Adult Social Care Scrutiny Committee under Standing Order **7.36** ~~8.39~~;
 - (rq) To receive a presentation from an external or internal speaker, followed by questions to the speaker;
 - (sr) To consider any information reports, including consultation reports by cabinet members;
 - (ts) To receive an annual report from the External Auditor; and
 - (ut) Other business (if any) specified in the summons.

- 2.24 The agenda shall specify a maximum period of 15 minutes for items (a) to (e) inclusive, together with any announcements which the Chairman considers appropriate; **25** ~~20~~ minutes for each address including questions under (i) (Cabinet Member statement on an urgent matter); 2 hours for item (n) (members' questions); and times for adjournment at 1 p.m. and for all business to conclude at 4.15 p.m. Items not commenced by 4.15 p.m. and any unfinished business shall be deferred to the following meeting.
- 2.25 The Chairman shall terminate the item or debate and call for any summing up to ensure that the item or debate concludes at the time specified on the agenda, subject to his or her discretion in all cases.
- 2.26 Other items held over from the previous meeting or otherwise on the agenda will be given such time as the Chairman considers appropriate.

Reports to Council

- 2.27 Subject to the waiver in Standing Order 4.12, a printed copy of the plans and strategies which are proposed to that meeting for inclusion within the Policy Framework or any proposed amendments or variations to them, shall be sent to every member and, so far as possible, shall be forwarded with the summons to attend such meeting. The papers shall include any recommendations on the plan or strategy made by the Cabinet, and by a scrutiny or non-executive committee, where the recommendation has not been accepted by the Executive in whole or in part, and any recommendations made by the Governance Committee on the Constitution.
- 2.28 All recommendations which are to be submitted to the County Council, so far as practicable, shall be set out clearly in the form of resolutions to be considered by the County Council.
- 2.29 The agenda shall include:
- (a) a report from members of the Cabinet, in accordance with Standing Order **2.35** ~~2.37~~.
 - (b) any reports from a scrutiny committee for debate.

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- (c) a report from a non-executive committee on any matter where officers' recommendations have not been accepted, except where the chairman of the relevant committee considers that the non-acceptance or variation of an officer's recommendations does not warrant a report to the County Council.

2.30 No minutes or reports which have not been circulated shall be considered at the meeting.

Questions

During a Debate

2.31 A member of the County Council may without notice ask the relevant Cabinet Member introducing a debate on an item within the Policy Framework, or chairman introducing the report of a non-executive committee or a scrutiny committee in pursuance of Standing Order 2.29, any question upon the matter then before the County Council if the question is asked before the debate is concluded.

Cabinet Member Address

2.32 A Cabinet Member may address the Council on a matter of urgency and/or significant interest to the County Council and which relates to the powers and responsibilities of the County Council or which affects the county. The Leader will settle proposals for an address with the Chairman by the end of the day before the meeting of the County Council or, in cases of greater urgency, by 9.00 a.m. on the day of the meeting.

2.33 Members may ask questions (limited to one question per member) of the Cabinet Member on his or her statement subject to the time limit in Standing Order 2.34. A member shall have the right to put one relevant supplementary question arising from the reply to the original question put by him or her.

2.34 The time taken for an address by a Cabinet Member shall be limited to **ten** five minutes. Questions by members arising from the statement shall be limited to a total of 15 minutes.

Question Time Report

2.35 The Director of Law and Assurance shall prepare, in consultation with the Leader and individual cabinet members, a report summarising all matters of significance arising in cabinet portfolios since the previous meeting of the County Council. The report shall not be restricted to those matters on which decisions have been proposed or made.

2.36 The reports referred to in **2.35** ~~2.39~~ shall be distributed to all members with the summons and agenda; they shall be supplemented by further reports prepared in the same way, summarising those matters arising between the dispatch of the summons and agenda and the meeting of the County Council. The supplementary reports shall be made available to members by 9.30 a.m. on the day of the meeting.

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- 2.37 A list of proposed items to be included in the reports distributed with the agenda shall be circulated electronically to all members nine working days before the meeting of the County Council to assist the preparation of written or verbal questions to cover any matters of concern to individual members.

[N.B. This will be on the Monday of the week before the meeting, when this is held on a Friday.]

Written Questions

- 2.38 Subject to the giving of the notice required by Standing Order 2.39, a member may ask a question on any matter in relation to which the County Council has powers or duties or which affects West Sussex (including any matter considered by the Executive, a scrutiny committee or non-executive committee). The subject should not already be on the agenda for the meeting and the Chairman may rule out any questions considered to be irrelevant or inappropriate. The question will be deferred for a later reply if it involves the expenditure of a disproportionate amount of time or money to prepare the answer. **Questions will be limited to no more than 150 words and answers will be limited to usually no more than 250 words.**
- 2.39 The notice of a question to be asked in pursuance of Standing Order 2.38 shall be in writing and shall be given to the Director of Law and Assurance no earlier than four weeks before the meeting and at the latest by 12 noon on the fifth working day before the meeting of the County Council at which the question is to be asked; the Chairman may allow this provision to be relaxed if, in his or her opinion, it would be an advantage to the County Council's business to do so.

[N.B. This will be by 12 noon on the Friday prior to the meeting when the County Council meets on a Friday.]

- 2.40 Each meeting of the County Council will receive answers to the first 10 such questions received. Further questions will be referred to the appropriate senior officer for a written reply and published in The Bulletin. There is a limit of two questions per member within the first 10 questions received except that, if fewer than 10 questions are received by the deadline, additional questions from a member who has already asked two questions will be answered up to the maximum of 10. Answers to written questions shall be circulated in writing by 12 noon on the day before the County Council meeting. Neither questions nor answers under this paragraph shall be argumentative or open to debate.

Question Time

- 2.41 Members may ask questions of cabinet members on matters contained within the Leader and Cabinet Member report, any supplementary report, written questions and any other question relevant to the portfolio area. Members may also ask questions of the Leader on anything which is currently relevant to the County Council. Questions may be asked without notice. There will be an indicative **ten** five-minute time limit for ~~answers to~~ questions, **answers** and any supplementary questions on a particular matter, ~~starting when the Cabinet Member has given his or her first answer,~~ subject to the Chairman's discretion to use his or her judgement to allow a longer period of questions for topics of particular interest or significance. Subject to that time limit and to the

Chairman's rights under Standing Order 3.18 or otherwise to deal with irrelevant, repetitive or offensive questions or other disorderly conduct, members may ask **one question and one** supplementary questions, ~~without limit~~. Neither questions nor answers shall be argumentative or open to debate.

- 2.42 Replies to questions under Standing Order 2.38 relating to executive functions shall be given by the relevant cabinet member; replies to questions relating to other business shall be given by the chairman of the relevant committee.
- 2.43 Where a reply to a question or supplementary question under Standing Order 2.41 cannot conveniently be given orally, it shall be sufficient if a written answer is sent as soon as possible to the member asking the question.
- 2.44 The Chairman shall expect and ensure that all questions and responses to questions shall be concise.

Notices of Motion

- 2.45 Except as provided by Standing Order 2.56, every notice of motion shall be in writing, signed by the member giving the notice, and shall be delivered to the Director of Law and Assurance, no later than noon on the seventeenth day before the next meeting of the County Council and no earlier than four weeks before the meeting.

[N.B. The deadline will be before noon on the Tuesday two weeks before that of the meeting, when this is held on a Friday].

- 2.46 A motion may be considered with less than the required notice if the Chairman decides that the matter is urgent i.e. it could not have been anticipated before the deadline for notices of motion, and that the proposer has given as much notice as was practical.
- 2.47 Every notice of motion shall be relevant to some question over which the County Council has power, or which affects the county as such. The Director of Law and Assurance will advise the Chairman accordingly.
- 2.48 The Chairman, in consultation with political group leaders, may decide that a motion shall be:
- (a) moved and debated at the next meeting (usually no more than two per meeting unless the Chairman determines otherwise); **or**
 - (b) ***deferred so that it can be considered for selection to be moved and debated at the following meeting*** ~~moved and referred to a cabinet member or non-executive committee at the next meeting;~~
 - (c) ~~moved at a later meeting;~~
 - (d) ~~moved and referred to a cabinet member or non-executive committee at a later meeting; or~~
 - (e) ~~dealt with outside the meeting.~~
- 2.49 ***Any notice of motion not selected for debate after two meetings (not***

including the February Council meeting where the budget debate takes precedence) will fall away and cannot be resubmitted before six months from the date of the Council meeting for which it was last considered for selection.

2.50 ~~2.49~~ Notice will be given to the proposer of the motion by the Friday two weeks before the meeting of the County Council as to the course of action determined by the Chairman.

~~2.50—Where the Chairman determines that the issue raised in a motion shall be dealt with outside the meeting, the proposer will be informed by the Director of Law and Assurance in writing and will subsequently receive a response from the relevant cabinet member or non-executive committee chairman.~~

Motions to be Debated

2.51 All notices of motion properly given and accepted for debate by the Chairman shall be numbered by the Director of Law and Assurance in the order in which they are received and shall be entered with the date of reception in a book, kept at the office of the Director of Law and Assurance and open to inspection by any member.

2.52 The Director of Law and Assurance shall insert in the summons for a meeting of the County Council all notices of motion which the Chairman has agreed will be taken at that meeting (unless any have been previously withdrawn).

2.53 ***For motions*** which the Chairman determines shall be debated, ~~shall be dealt with at the meeting to which they are brought forward provided:~~

~~(a)—That notwithstanding Standing Order 2.63, the Chairman shall have the discretion to allow the relevant cabinet member or the chairman of a non-executive committee a right of reply after any reply by the proposer of the motion immediately before such motion is put to the vote.~~

~~(b)—That the Chairman may, if he or she considers it convenient and conducive to the dispatch of business, allow such motion to stand referred to the relevant cabinet member or non-executive committee. In such instances motions relating to an executive matter shall, upon being formally moved and seconded without speeches, stand referred to the relevant cabinet member for consideration. The response of the Cabinet Member shall be published in The Bulletin; it shall be reported to the next ordinary meeting of the County Council. The Cabinet Member's response will not be final until it has been reported to the next ordinary meeting of the County Council for debate in relation to the original motion.~~

~~(c)—When the County Council considers such a report the member giving the notice shall have the rights of the proposer of an original motion.~~

~~(d)—That the member giving the notice of motion shall be entitled to attend and speak at the meeting of the Cabinet or when the matter is to be considered by a cabinet member, or at any non-executive committee to which a motion stands referred, and shall have the same notice of that meeting as provided for by Standing Order 3.12.~~

~~(e) That if following action resulting under Standing Order 2.53(d) above, the proposer, seconder and the responder are in agreement on a course of action, they may agree that the motion will not be put before the Council for debate but will be withdrawn. In such circumstances a statement to that effect will be published in The Bulletin.~~

Briefing Notes for Motion

2.54 The relevant Executive Director shall prepare a full briefing note on factual background information to ~~a~~ the motion **selected for debate** and shall circulate it to all members of the County Council by not later than the end of the Friday of the week preceding the County Council meeting. ~~Where motions are referred the briefing note will be circulated by not later than the end of the Wednesday preceding the Council meeting. If a motion will not be moved until a future meeting, the briefing note will not be issued until that meeting, to the same timescales. If the topic is to be dealt with informally, a briefing note will not be produced.~~

Whether a Motion is in Order

2.55 A motion cannot be in order if it attempts to rescind, reverse or is inconsistent with any decisions made within the preceding six months. The only exceptions are:

- (a) The right of the Leader to challenge a decision of the County Council under Standing Orders 2.67 to 2.71 (Disputes Procedure); and
- (b) The notice required in Standing Order 2.45 bears the names of at least a quarter of the County Council in addition to the proposer.

[N.B. This Standing Order is relevant only to motions moved by members at County Council meetings and not to recommendations of committees.]

Motions that may be Proposed without Notice

2.56 Any of the following motions may be proposed without notice:

- (a) To appoint a chairman of the meeting;
- (b) To amend a motion;
- (c) To exclude the public;
- (d) Motions relating to the accuracy of the minutes, to closure, adjournment, order of business or next business;
- (e) To receive or approve a report from an officer or to adopt a recommendation of a committee or sub-committee;
- (f) To appoint a special committee or sub-committee to consider a matter referred to in the summons to the meeting;
- (g) ~~Subject to the Chairman's discretion under Standing Order 2.48,~~ **To agree** that a matter be referred to or referred back to the Executive or a non-executive committee;

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- (h) That leave be given to withdraw a motion;
 - (i) To give the consent of the County Council, where it is required by these Standing Orders;
 - (j) To suspend a Standing Order or Standing Orders at the meeting in accordance with Standing Order 1.05;
 - (k) That the member named be not further heard, or that the member named leave the meeting; and
 - (l) That the question be put or that the debate be adjourned or that the County Council adjourn, made in accordance with Standing Order 3.17.

Rules of Debate applicable to the County Council only

General

- 2.57 A member shall stand when speaking and shall address the Chair.
- 2.58 A member shall direct his or her speech to the question under discussion or to a personal explanation or to a question of order. ***Each member may speak for up to five minutes, with the exception of speeches in the annual budget debate, which are not timed and petition debates under Standing Order 3.43 (a) where members can speak for up to three minutes.***
- 2.59 A member shall not speak more than once on any motion, except to move a further amendment, or on any amendment, except in the exercise of a right conferred by any of the following Standing Orders, that is to say, Orders 2.63, 3.16, 3.18 and 3.29.
- 2.60 Under Standing Order 2.56, the proposer of a motion without notice shall have no right of reply. This includes movers of amendments and references back. The exception to this is proposers under Standing Order 2.56(e).

Notices of Motion

- 2.61 The proposer of a motion may speak for up to five minutes. The member responding to the motion (a cabinet member or committee chairman) will also be able to speak for five minutes. All following speakers may speak for up to five minutes each.
- 2.62 When a motion is under debate no other motion shall be moved except to amend the motion, to postpone its consideration, or to refer it to the appropriate cabinet member or non-executive committee. However, this Standing Order shall not prevent a member from moving at the appropriate time a motion in accordance with Standing Orders 2.56(b), (h), (j), (k) and (l), 2.63, 3.17, 3.18 and 3.35.
- 2.63 Subject to Standing Orders 2.53(a) and 2.60, the Chairman shall have the discretion to allow the relevant cabinet member or chairman of a non-executive committee a right of reply after any reply by the proposer of a motion immediately before such motion is put to the vote. If an amendment is proposed, the proposer of the original motion and then the Cabinet Member

shall be entitled to reply at the close of the debate upon the amendment. A proposer, in exercising his or her right of reply, shall confine himself or herself to answering previous speakers and shall not introduce any new matter into the debate.

- 2.64 Any member who has given notice of motion in accordance with Standing Order 2.45 may, with the consent of the Chairman, vary its terms or language, provided that in so doing he or she does not alter its substance.
- 2.65 If a motion, referred to in the summons, is not moved either by the member who has given the notice, or by some other member on his or her behalf, it shall be treated as abandoned and shall not be moved without fresh notice, unless postponed by consent of the County Council.

Quorum

- 3.09e When a member is unable or unwilling, for good reason, to attend a meeting of the Council in the chamber due to public health concerns, the Chairman will allow the member to participate virtually via video conferencing, when the facility is available. This will be treated as attendance at the meeting but members attending remotely cannot vote or count for the purpose of calculation of the quorum of the meeting. Members participating remotely may take part in information and non-decision items only, namely the items of business set out in Standing Order 2.23 (d), (e), (i), (j) (save for a vote on any proposition), (k) (save for any decision items or voting required), (n), ~~(o)~~, **(p)**, (q), (r), (s), and (t) **and (u)** (save for any decision items or business requiring a vote).