



## **Dartmoor National Park Authority**

# **Standing Orders**

## **for Regulation of Authority Proceedings and Business**

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## (a) Introduction

These Standing Orders are made for the regulation of the meetings, proceedings and business of the Dartmoor National Park Authority pursuant to the Environment Act 1995 (*"the 1995 Act"*); Schedule 2 of the National Park Authorities (England) Order 2015 (*"the 2015 Order"*); Schedule 12 to the Local Government Act 1972 and all other enabling powers.

## (b) Definitions

In these Standing Orders, unless inconsistent with the subject or context:

**'The Authority'** shall mean the Dartmoor National Park Authority.

**'Member'** shall mean a person elected as a Councillor and appointed to the Authority by a Local Authority or a person appointed to the Authority by the Secretary of State in accordance with Schedule 7 to the 1995 Act.

**'Chair'** and **'Deputy Chair'** shall mean the Members so appointed for the time being in accordance with Standing Order 6.

**'Chief Executive (National Park Officer)'** shall mean the person appointed by the Authority in accordance with the 1995 Act and the 2015 Order.

**'Officer'** shall mean a person employed by or on behalf of the Authority.

the headings to the clauses and schedules shall not affect the interpretation.

words importing any gender shall include every gender.

any reference to any statute (whether or not specifically named) shall include any statutory modification or re-enactment of it for the time being in force and any order, instrument, plan, regulation, permission and direction made or issued under it, or under any statute replaced by it or deriving validity from it.

## (c) Principal Legislation

The Local Government Act 1972 (*"the 1972 Act"*)

The Local Authorities (Standing Orders) Regulations 1993 (*"the 1993 Regulations"*)

The Environment Act 1995 (*"the 1995 Act"*)

The Localism Act 2011 (*"the 2011 Act"*)

The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

## **1 MEMBERSHIP OF THE AUTHORITY**

- 1.1 The Authority shall consist of such persons as shall be elected or appointed by the relevant local authorities and the Secretary of State pursuant to Regulation 4 and Schedule 1 to the 2015 Order.
- 1.2 Membership of the Authority shall at all times be regulated in accordance with Appendix 1 to these Standing Orders.
- 1.3 Nothing in these Standing Orders shall in any way derogate from Schedule 7 to the 1995 Act as regards disqualification of Members.

## **2 MEETINGS OF THE AUTHORITY**

### **2.1 Number of Meetings**

The Authority shall in every year hold one Annual Meeting and at least three other meetings for the transaction of general business.

### **2.2 Dates of Meetings**

The meetings of the Authority shall be held as near as may be at regular intervals on such dates as the Authority shall determine. The Chief Executive (National Park Officer) in consultation with the Chair shall have authority to change the date of any meeting of the Authority if, in their opinion, such change is necessary for the convenient and/or efficient dispatch of Authority business.

### **2.3 Date of Annual Meeting**

The Authority shall in every year hold an annual meeting. The first meeting of the Authority held after 31 May in any year shall be the annual meeting.

### **2.4 Extraordinary Meetings**

An extraordinary meeting of the Authority may be called at any time by the Chair or, if the office of Chair is vacant, the Deputy Chair.

- \* In addition, the Chair shall call an extraordinary meeting of the Authority upon receipt of a written request for that purpose specifying the nature of the important or urgent business, signed by five Members of the Authority. Should the Chair not call an extraordinary meeting within seven days of receipt of the request, any five Members of the Authority may forthwith call an extraordinary meeting of the Authority.

### **2.5 Time of Meetings**

The meetings of the Authority shall commence at such times as the Authority shall determine. The Chief Executive (National Park Officer) in consultation with the Chair shall have authority to change the time of any meeting of the Authority if, in their opinion, such change is necessary for the convenient and/or efficient dispatch of Authority business.

### **2.6 Summons for a Meeting**

The Chief Executive (National Park Officer) shall issue a public notice of the time and place of any meeting of the Authority together with a summons to every

Member of the Authority to attend the meeting, to be posted not less than five clear days before the meeting to which it relates.

The summons for any extraordinary meeting shall set out the business proposed to be transacted at that meeting.

Want of service of a summons on any Member of the Authority shall not affect the validity of any meeting.

### **3 COMMITTEES**

3.1 At the Annual Meeting of the Authority, the Authority shall resolve and appoint:

- (a) the committees, sub-committees, working panels or other groups necessary to discharge the functions of the Authority;
- (b) the membership or method of appointment for each committee, sub-committee, working panel or other group;
- (c) a person to preside at the meetings of each committee & sub-committee (the Chair);
- (d) a person to preside at a meeting of a committee or sub-committee in the absence of the Chair (the deputy Chair);
- (e) the terms of reference of each committee, sub-committee, working panel or other group;
- (f) whether non-voting members, assessors and advisers may also be appointed to any such committee, sub-committee, working panel or other group;
- (g) the limitations, if any, to be placed on the powers of any committee to arrange for the discharge of its functions by a subcommittee.

3.2 The number, date, time and place of meetings of every committee, sub-committee, working panel or other group shall be as determined by the Authority, or if no such determination is made, as may be decided by the committee, sub-committee, working panel or other group or its Chair for the convenient and/or efficient dispatch of its business.

3.3 Every committee, sub-committee, working panel or other group established under this Standing Order shall at all times be constituted and act in conformity with these Standing Orders and, in particular, the provisions set out in Appendices 2 & 3 hereto.

3.4 The number, date, time and place of meetings of every committee, sub-committee, working panel or other group shall be as determined by the Authority, or if no such determination is made, as may be decided by the committee, sub-committee, working panel or other group or its Chair for the convenient and/or efficient dispatch of its business.

## **4 QUORUM**

*Local Government Act 1972 Sch 12 para 6*

- 4.1 Except where authorised by statute or otherwise specifically ordered by the Authority, no business shall be transacted at a meeting of the Authority or its committees or sub-committees unless:
- (a) at least one-third of the whole number of Members of the Authority, committee or sub-committee are present, provided that in no case shall the quorum of any committee be less than three Members; and
  - (b) of those present at least one is a local authority Member and at least one a Member appointed to the Authority by the Secretary of State.

*Note: the quorum for a meeting of the full Authority of 19 Members is 7*

- 4.2 The quorum for a meeting of the Standards sub-committee shall be three Members of the Authority of whom at least one is a local authority Member
- 4.3 If, during any meeting of the Authority, the Chair, after counting the number of Members present, declares that there is not a quorum present, the meeting shall stand adjourned for 15 minutes, or until a quorum shall be present whichever shall, be the sooner time.
- 4.4 If at the end of the period of adjournment in accordance with Standing Order 4.3 above, after counting the number of Members present, the Chair declares that there is not a quorum present, the meeting shall forthwith end, and any business shall stand adjourned to the next meeting of the Authority
- 4.5 In the application of this Standing Order to any committee or sub-committee, a meeting may continue at the discretion of the Chair of that committee or sub-committee, provided that the absence of a quorum shall be noted in the minutes and no decision shall be taken or resolution made without submission of the proposal to the Authority.
- 4.6 Where more than one-third of the Members of the Authority become disqualified at the same time, the quorum of the Authority shall be determined by reference to the number of Members of the Authority at that time remaining qualified.

## **5 ATTENDANCE AT MEETING**

- 5.1 Every Member attending a meeting of the Authority or any of its committees and sub-committees of which he/she is a member, shall certify his/her attendance by signing against his/her name in the attendance book or record sheet provided for that purpose.
- 5.2 It shall be a requirement that every Member of the Authority attends each meeting of the full Authority together with every meeting of any committee, sub-committee, working panel or other group to which he/she consents to be elected or appointed.

- 5.3 Save in the event of emergency or sudden illness, a Member shall tender his/her apology to Parke not less than 3 days before the date of a meeting which he/she is unable to attend.
- 5.4 In exceptional circumstances, the Chief Executive (NPO) in consultation with the Chair shall be authorised to consider and determine a request from a Member for leave of absence, for a period not exceeding 3 months (such period shall be capable of extension or renewal to a maximum aggregate period of 9 months)
- 5.5 Unless leave of absence shall previously have been agreed, a Member who fails on 3 occasions in any 12-month period to attend a meeting of the Authority, or a committee, sub-committee, working panel or other group to which he/she has consented to be elected or appointed (a separate record and account to be kept for every such body) shall be invited by the Chief Executive (NPO) and Chair of the Authority to a meeting to discuss the non-attendance.

## **6 CHAIR AND DEPUTY CHAIR**

*Local Government Act 1972 Sch 12 para 5*

- 6.1 At the Annual Meeting of the Authority the first item of business shall be to elect a Chair of the Authority and the second item of business shall be to elect a Deputy Chair of the Authority.
- 6.2 Elections at the Annual Meeting of the Authority and any meeting of the Authority and its Committees shall be held in accordance with the Rules on Elections set out in Appendix 10.
- 6.3 RESERVED
- 6.4 The Chair and Deputy Chair shall be elected for a period not exceeding one year but both such persons shall, on ceasing to hold office at the end of their elected term, be eligible for re-election.
- 6.5 The Chair or Deputy Chair may at any time resign his/her office by notice in writing delivered to the Chief Executive (National Park Officer).
- 6.6 A person shall cease to hold office as Chair or Deputy Chair of the Authority upon ceasing to be a Member of the Authority.
- 6.7 If any vacancy in the office of Chair or Deputy Chair shall arise it shall be the duty of the Members of the Authority to secure that the vacancy is filled as soon as possible.
- 6.8 Where a casual vacancy in the office of Chair or Deputy Chair of the Authority is filled the person then elected shall hold office until the next Annual Meeting of the Authority.

## 7 CONDUCT OF MEETINGS

- 7.1 At a meeting of the full Authority the Chair, if present, shall preside.
- 7.2 If the Chair is absent from a meeting of the full Authority the Deputy Chair, if present, shall preside.
- 7.3 If both the Chair and Deputy Chair of the Authority are absent, the Members of the Authority present at that meeting shall choose a person from their number to preside as Chair for that meeting.
- 7.4 For the avoidance of any doubt, any powers or duty in relation to the conduct of a meeting assigned to the Chair by these Standing Orders may be exercised by any person presiding at a meeting in accordance with Standing Order 7.3.

## 8 MEMBERS INTERESTS

- 8.1 All Members, including any person co-opted as a member of the Authority or one of its committees, sub-committees, working panels or other groups, shall at all times when conducting the business of the Authority, or conducting the business of the office to which the Member has been appointed or elected, or acting as a representative of the Authority, act in accordance with:
  - (a) the Members Code of Conduct
  - (b) the Protocol for Member/Officer Relations
  - (c) the provisions in these Standing Orders relating to Members Interests
- 8.2 A Member who has a **personal interest** in a matter and who attends any meeting at which that matter is considered or discussed, shall disclose to that meeting the existence and nature of that interest at the start of the meeting, or at the commencement of that item of business, and in any event no later than at the time during that item of business when he/she first becomes aware of the interest.
- 8.3 For the purposes of this Standing Order 8, **personal interest** has the meaning set out in paragraph 9.1 of the Member Code of Conduct and **meeting** has the meaning set out in paragraph 2 of the Member Code of Conduct.
- 8.4 A Member who has a **disclosable pecuniary interest** in any matter shall:
  - (a) not participate in any discussion of that matter, or participate in any vote taken on that matter, or discharge any function in relation to that matter without first obtaining a dispensation from the Authority's Monitoring Officer
  - (b) withdraw from the room or chamber where the meeting considering the matter is being held, at the commencement of the consideration of that matter, unless a dispensation has been granted



8.5 A Member must register those matters specified in the Member Code of Conduct, namely:

- (a) membership in a position of general management or control of any body:
  - (i) exercising functions of a public nature; or
  - (ii) directed to charitable purposes; or
  - (iii) whose principal purposes include influence of public opinion or policy
- (b) membership of any other local Authority
- (c) membership of any political party or trade union
- (d) membership of the United Grand Lodge of England (freemasons)
- (e) receipt in the past 12 months in their capacity as a Member of any gift or hospitality with an estimated value exceeding £50

## 9 ORDER OF BUSINESS

*Local Government Act 1972 s.100B(4) & Sch 12 para 4(2)*

9.1 Subject to paragraphs 9.2, 9.3 and 9.4 of this Standing Order and any statutory requirements, the order of business at every meeting of the Authority shall be:

- (a) at the Annual Meeting only in every year, the appointment of the Chair and Deputy Chair in accordance with the procedure set out in Standing Order 6;
- (b) in the absence of both the Chair and the Deputy Chair, to choose a Member of the Authority to preside;
- (c) to deal with any business required by statute to be done before any other business;
- (d) to approve and sign as a correct record the Minutes of the last meeting of the Authority. This sub-clause shall not apply to any extraordinary meeting of the Authority unless at such extraordinary meeting the business transacted alters or affects in any way any resolution passed at a previous meeting of the Authority for which the minutes have not received approval and signature;
- (e) to deal with any business expressly required by statute to be done;
- (f) the Chair's announcements and correspondence;
- (g) to introduce any business which by reason of special circumstances such that the Chair, after consultation with the Chief Executive (National Park Officer), is of the opinion that the matter should be considered as a matter of urgency **AND** then to resolve when such business should be ordered on the Agenda;
- (h) to dispose of business remaining from the last meeting;

- (i) to consider motions in the order in which notice has been received;
  - (j) other business specified in the summons;
  - (k) to consider questions from Members of which notice has been given in accordance with Standing Orders;
  - (l) to receive public participation in accordance with Appendix 8.
- 9.2 The order of business falling under items 9.1(a) (b) and (c) shall not be displaced.
- 9.3 At an extraordinary meeting the order of business falling under items 9.1 (b) (c) and (d) shall not be displaced and any other business shall be exactly that set out in the Summons and no other business shall be considered.
- 9.4 Subject to paragraphs 9.2 and 9.3 of this Standing Order the order of any other business may be varied either at the Chair's discretion or by a resolution passed on a motion duly moved, seconded and put without debate.
- 9.5 Except in the case of business required by or under the 2015 Order or any other statutory provision to be transacted and other business brought before the meeting as a matter of urgency in accordance with the Authority's Standing Orders, no business shall be transacted at a meeting of the Authority other than that specified in the summons relating thereto.

## **10 MINUTES**

*Local Government Act 1972 Sch 12 paras 41(1) (3) (4) & 44(2)*

- 10.1 Not less than three days prior to every meeting of the Authority a printed copy of the draft minutes of the previous meeting shall be sent to every Member.
- 10.2 Provided that Standing Order 10.1 has been complied with, the draft minutes shall be taken as read and the Chair shall immediately put the question '*May the minutes of the meeting held on the X day of Y be approved as a correct record?*'
- 10.3 There shall be no discussion upon the draft minutes, except upon their accuracy. Any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been resolved, the Chair shall sign the minutes.
- 10.4 The Chief Executive (National Park Officer) shall make arrangements for a signed copy of the approved minutes of every meeting of the Authority and every committee and sub-committee of the Authority to be kept securely and any minute purporting to be so signed shall be received in evidence without further proof.
- 10.5 The provisions contained in this Standing Order shall also apply in relation to meetings of all committees and sub-committees.

- 10.6 A copy of the minutes of the proceedings at each meeting of the Authority shall be published upon the Authority's website and made available for public inspection within 10 working days of the date of the meeting at which those minutes are approved.

## **11 URGENT MATTERS**

- 11.1 The decision-making powers, discretions and duties vested in the Authority are deemed to rest with the Authority acting as a statutory body corporate, except where they have been expressly delegated under the scheme of delegation to a properly constituted committee or sub-committee of the Authority or a Joint Committee or an Officer of the Authority.
- 11.2 The Authority recognises that exceptional circumstances may occasionally arise under which it is essential and in the best interests of the Authority for urgent action to be authorised and taken on its behalf, when such action does not fall within the scope of the scheme of delegation.
- 11.3 In such circumstances, the Chief Executive (National Park Officer) shall be empowered to act on the Authority's behalf, provided always that all such action shall be in accordance with policy and in the best interests of the Authority and shall only be taken after (a) having consulted with the Chair; and (b) having received and considered such legal and specialist advice as may be required to make a reasonable decision.
- 11.4 In the event that urgent action pursuant to Standing Order 11.3 appears to be necessary, but the Chair cannot be contacted despite diligent efforts or is unable to act, the Chair's responsibilities under Standing Order 11.3 shall be discharged by the Deputy Chair. If both shall be unavailable or unable to act, the matter shall not be dealt with except by a properly constituted extraordinary meeting of the full Authority.
- 11.5 In the event that urgent action pursuant to Standing Order 11.3 appears to be necessary, but the Chief Executive is unavailable or unable to act, the Chief Executive's responsibilities under Standing Order 11.3 may be discharged by any member of the Authority's Leadership Team.
- 11.6 Any "urgent action" taken in accordance with Standing Order 11.3 shall be reported in writing to every Member of the Authority as soon as possible and in any event within 3 working days and shall also be reported to the next meeting of the Authority.

## **12 MEETINGS TO BE OPEN TO THE PRESS AND PUBLIC**

- 12.1 Every meeting of the Authority or any Committee or Sub-committee shall be open to the press and public except in the following circumstances:

- (a) the press and public **SHALL** be excluded from the meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that, if members of the public were present during that item, confidential information as defined in s100A(3) of the 1972 Act would be disclosed to them in breach of the obligation of confidence;
- (b) the press and public **MAY** by resolution under s100A(4) of the 1972 Act be excluded from the meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in s100 I of the 1972 Act.
- (c) If any question arises at a meeting of the Authority or any Committee as to the appointment, promotion, dismissal, salary, superannuation, conditions of service or conduct of any Officer, or where persons are being considered for an appointment with the Authority, a motion under Section 100A (4) of the 1972 Act to exclude the public shall be moved forthwith by the Chair and put without debate.

12.2 A resolution under Standing Order 12.1(b) shall identify the proceedings, or the part of the proceedings, to which it applies, and state the description, in terms of Schedule 12A to the 1972 Act, of the exempt information giving use to the exclusion of the press and public.

12.3 Unless the Chair shall direct otherwise, the business the subject of any resolution under Standing Order 12.1 shall, upon the passing of that resolution, forthwith stand adjourned until the conclusion of all other business at the meeting, whereupon the Chair shall invite the press and public to leave the meeting so that the adjourned business shall be considered.

12.4 Unless the Chair shall direct otherwise, upon the conclusion of any item of business taken following a resolution under Standing Order 12.1, Members shall forthwith return to the Chief Executive or his/her nominee all reports, documents and papers relating to that item, for secure disposal as confidential waste.

## **13 CONFIDENTIALITY**

A Member or Officer of the Authority shall not:

- (a) disclose any information or matter which has been reported to or debated by the Authority or any Committee or Sub-committee and which is confidential information within the meaning of s100A of the 1972 Act; or
- (b) without the express permission of the Authority, disclose any information or matter which is identified as exempt information following a resolution pursuant to s100A of the 1972 Act to exclude the public from the meeting.

## **14 VOTING**

*Local Government Act 1972 Sch 12 para 44*

- 14.1 Subject to Standing Order 6.2 every question shall be determined by a show of hands, unless otherwise decided by a majority of the meeting.
- 14.2 Pursuant to Schedule 12 of the 1972 Act, all questions coming or arising before a meeting of the Authority shall be decided by a majority of the Members of the Authority present and voting at that meeting.
- 14.3 On the Chair putting a motion to the vote, no further discussion on it shall take place. The question having been put by the Chair and voting having commenced no Member shall speak, nor any questions be asked.
- 14.4 Where an equality of votes on any matter arising throughout the course of any meeting occurs, the person presiding at that meeting in accordance with these Standing Orders shall have a second or casting vote.
- 14.5 If immediately after a vote is taken any Member so requests, a record shall be kept in the Minutes of that meeting whether that Member cast his/her vote for the question, against the question or abstained from voting.

## **15 MOTIONS**

### **15.1 Notice of Motion**

Notice of every motion (other than those which under Standing Order 16.1 may be moved without notice) shall be given in writing and signed by the Member or Members giving the notice and delivered so as to be received at least seven working days before the date of the next meeting of the Authority to the Chief Executive (National Park Officer). Upon receipt it shall be dated and numbered in the order in which it is received.

### **15.2 Motions to be Set out in Summons**

The Chief Executive (National Park Officer) shall set out in the summons for every meeting of the Authority all motions of which notice has been duly given in the order in which they have been received, unless the Member when giving such notice intimated in writing that they propose to move it at some later meeting, or has since withdrawn it in writing.

### **15.3 Motion Not Moved**

If a motion which is set out in the summons is not moved either by a Member who gave notice thereof or by some other Member on his/her behalf it shall, unless postponed by consent of the Authority, be treated as withdrawn and shall not be moved without fresh notice.

### **15.4 Scope of Motion**

Every motion shall be relevant to some matter in relation to which the Authority has power or duties or which affects the Dartmoor National Park.

## 15.5 **Form of Motion**

If it shall appear to the Chief Executive (National Park Officer) that a motion of which notice has been received pursuant to Standing Order 15.1 is not in order or is framed in improper or unbecoming language or otherwise fails to comply with the provisions of these Standing Orders, the direction of the Chair shall be sought as to whether and in what form the motion shall be placed upon the Summons and Agenda, and the decision of the Chair, after consultation with the Member giving the notice if possible, shall be final.

## 16 **MOTIONS WHICH MAY BE MOVED WITHOUT NOTICE**

16.1 The following motions and amendments need not be in writing and may be moved without notice:

- (a) Appointment of the Chair of the meeting at which the motion is made;
- (b) Motions relating to the accuracy of the minutes;
- (c) To vary the order of business;
- (d) For leave to be given to withdraw a motion;
- (e) To amend a motion;
- (f) To refer the motion to a committee or sub-committee;
- (g) Receipt of reports or adoption of recommendations of committees or Officers and any consequent resolutions;
- (h) "that the question be now put";
- (i) "that the Authority (or committee) proceeds to the next item of business";
- (j) "that the debate be now adjourned";
- (k) "that the Authority (or committee) do now adjourn";
- (l) To exclude the public in accordance with Standing Order 19;
- (m) "that the Member be not further heard" (Standing Order 19);
- (n) "that the Member leave the meeting" (Standing Order 19);
- (o) To give the consent of the Authority where the consent of the Authority is required by these Standing Orders;
- (p) Appointment of a committee or Member thereof occasioned by an item mentioned in the summons to the meeting.

## 17 **DEBATE**

17.1 All discussion and debate in a meeting of the Authority or any committee and sub-committee shall be conducted in accordance with the Rules of Debate set out in these Standing Orders.

17.2 For the purpose of conducting the business of meetings in an informal and amicable manner, it shall always be open to the Chair to allow debate which does not comply with the formalities of Standing Order 18.

- 17.3 The Chair may at any time determine to call upon the meeting to bring its procedures into full and strict conformity with these Standing Orders and the decision as to the necessity for and/or timing of any such determination shall be final and not subject to debate or challenge, and for the avoidance of doubt the provisions of Standing Order 18.14 and 29 shall not apply to this Standing Order.

## **18 RULES OF DEBATE**

### **18.1 Discussion of a Motion or Amendment**

A motion or amendment shall not be discussed unless it has been proposed and seconded. Unless notice has already been given in accordance with Standing Order 15, the Chair may require the matter to be put into writing and handed to the Chair before it is further discussed or put to the meeting.

### **18.2 Secunder's Speech**

When seconding a motion or amendment, a Member may reserve his/her right to speak until later in the debate by declaring his/her intention to do so.

### **18.3 Speaking in Debate**

A Member when speaking shall address the Chair. If two or more Members indicate a wish to speak, the Chair shall call one to speak; the other or others shall then await their opportunity to speak. While a Member is speaking the other Members shall refrain from speaking unless raising a point of order.

### **18.4 Content and Length of Speeches**

A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order. A Member shall not be entitled to read a prepared speech, but may refresh his/her memory by reference to notes. No speech may exceed five minutes except with the consent of the Chair.

### **18.5 Speaking More Than Once**

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

- (a) 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 exercise of a right of reply;
- (e) on a point of order or by way of personal explanation.

### **18.6 Amendments to Motions**

An amendment shall be relevant to the motion and shall be either:

- (a) to leave out words; or

(b) to insert or add words; or

(c) to leave out words and insert or add others;

But such omission, insertion or addition of words shall not have the effect of negating the motion before the Authority, or introducing a substantially new proposal.

**18.7 Discussion of Amendments**

Only one amendment may be moved and discussed at a time. No further amendment shall be moved until the amendment under discussion has been disposed of, but notice of further amendments may be given.

The Chair may permit two or more amendments to be discussed together (but not voted on together) if he/she is of the opinion that this course would facilitate the proper conduct of Authority business.

**18.8 Further Amendments**

If an amendment is not carried, 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.

The mover and seconder of a motion or an amendment not carried by the Authority shall not be entitled to move any further amendment to the same or similar effect at that meeting on the question under discussion.

**18.9 Withdrawal of Motion or Amendment**

A motion or amendment may be withdrawn by the mover with the consent of the seconder and of the Authority, which shall be signified without discussion, and no Member may speak upon the amendment after the mover has asked permission for its withdrawal, unless such permission has been refused.

**18.10 Right of Reply**

The mover of a motion has a right of reply at the close of the debate on the motion, immediately before it is put to the vote. The reply shall be strictly confined to answering previous speakers and shall not introduce any new matters into the debate. 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 but shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on that amendment.

**18.11 Motions Which May be Moved During Debate**

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

(a) to amend the motion;

(b) that the question be now put;

(c) to adjourn the debate;

(d) to proceed to the next item of business;

(e) to adjourn the meeting;



- (f) a motion under Standing Order 19 to exclude the public;
- (g) that the Member be not further heard (Standing Order 19);
- (h) that the Member leave the meeting (Standing Order 19).

#### 18.12 **Closure Motions**

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

- (a) on a motion to proceed to the next item of business, unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, the Chair shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;
- (b) on a motion that the question be now put, unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, the Chair shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion their right of reply before putting the motion to the vote;
- (c) on a motion to adjourn the debate or the meeting, if in the Chair's opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion the Chair shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply on that occasion.

#### 18.13 **Points of Order**

A Member may raise a point of order or a matter of personal explanation and shall be entitled to be heard forthwith.

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/she considers it has been broken.

A personal explanation shall be confined to some material part of a former speech by him/her which appears to have been misunderstood in the present debate.

The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

#### 18.14 **Respect for the Chair**

Whenever the Chair speaks during a debate, any Member then speaking shall immediately stop and the Authority shall be silent. The decision of the Chair on all points of procedure, order and interpretation of the Rules of Debate shall be final and no debate shall be permitted thereon **Provided Always** that the Chair's ruling on a particular issue or matter may be challenged by motion, which motion shall upon being duly seconded, be put without debate.

## **19 PREVENTION OF DISORDER**

- 19.1 If during any meeting of the Authority the Chair forms the opinion that a Member has engaged or is engaging in misconduct by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by willfully interrupting or obstructing the business of the Authority, the Chair shall inform the meeting of that opinion and may take any of the following actions, either in sequence or separately:
- (a) formally warn the Member regarding his/her conduct;
  - (b) direct that the Member refrain from speaking during all or part of the debate or meeting;
  - (c) direct that the Member withdraw from all or part of the remainder of the debate or meeting;
  - (d) move "That the Member named be not further heard" (the motion being put and determined without seconding or debate);
  - (e) move "That the Member named do leave the meeting" (the motion being put and determined without seconding or debate);
  - (f) adjourn the meeting of the Authority for such period as in the opinion of the Chair is expedient.
- 19.2 In the event that an officer or member of the public wilfully interrupts the proceedings at any meeting or behaves irregularly, improperly or offensively, the Chair shall warn him/her. If the misconduct continues or is repeated the Chair shall order that person to leave the room for the remainder of the meeting. If the person refuses or fails to leave the room, or having left the room returns, the Chair may order his/her removal from the room.
- 19.3 In case of a general disturbance in any part of the room open to the public, the Chair may order that part to be cleared for all or part of the remainder of the meeting. In the event of a general disturbance which, in the opinion of the Chair renders the due and orderly dispatch of business impossible, in addition to any other power vested in him the Chair may, without the question being put, adjourn the meeting of the Authority for such period and to such place as the Chair shall consider expedient.

## **20 REVERSAL OF PREVIOUS RESOLUTION**

No motion to rescind or reverse any substantive resolution passed by the Authority 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 unless the notice thereof given in pursuance of Standing Order 15 bears the names of at least six Members. When any such motion or amendment has been disposed of by the Authority, it shall not be open to any Member to propose a similar motion within a further period of six months.

This Standing Order shall not apply to motions moved in pursuance of a recommendation of a committee.

## **21 QUESTIONS BY MEMBERS**

### **21.1 Authority Business**

A Member may ask any question upon the business before the Authority, if the question is put before the Authority's consideration of such business is concluded.

### **21.2 Notice of Questions and Replies Thereto**

A Member may:

- (a) ask any question relating to the business of the Authority provided written notice is received at the office of the Chief Executive (National Park Officer) at least seven working days before the meeting;
- (b) with the permission of the Chair, put any question relating to urgent business, but a written copy of such question shall be delivered to the Chief Executive (National Park Officer) not later than 3.00pm on the day before the meeting.

Provided that:

- (a) where the desired information is contained in any publication of the Authority it shall be deemed a sufficient reply if the publication containing the information is indicated;
- (b) if a reply to any question cannot conveniently be given orally it will be deemed a sufficient reply if the answer is circulated to Members with the minutes of the meeting at which the question has been asked;
- (c) every question shall be put and answered without discussion and no provision shall be made for asking supplementary questions;
- (d) any person to whom a question is put may decline to answer.

## **22 PUBLIC PARTICIPATION**

22.1 The Agenda for every meeting of the Authority and its committees and sub-committees shall include an item making provision for participation by the public, through questions and/or statements, in accordance with Appendix 8. This item shall usually appear on the Agenda pursuant to Standing Order 9.1(I).

22.2 At meetings of the Authority's Development Management Committee, public participation in relation to an application or matter before the committee shall usually be taken at the time that item is called for debate.

22.3 Appendix 8 to these Standing Orders shall further regulate public participation at meetings of the Authority and its committees and sub-committees.

## 23 WHEN STANDING ORDERS MAY BE SUSPENDED, REVOKED OR ALTERED

*Local Government Act 1972 ss16(1) 106 & Sch 12 para 43*

- 23.1 These Standing Orders shall only be capable of variation, amendment, revocation, replacement or other alteration by the Authority at a meeting of the full Authority and upon notice of motion specifying the alteration proposed to be made.
- 23.2 Excepting always those matters specified in Standing Order 23.3 below, Standing Orders or any part of them may, upon motion and without notice, be suspended at any meeting of the Authority as regards any agenda item or items at such meeting specified in that motion, provided that at least one half of the Members of the Authority are present.
- 23.3 For the avoidance of doubt, it is hereby declared that the following Standing Orders are not capable of suspension and further that no motion to suspend Standing Orders shall be moved in relation to them or their provisions:
- |                                                |                            |
|------------------------------------------------|----------------------------|
| (a) Membership of the Authority                | <i>(Standing Order 1)</i>  |
| (b) Quorum                                     | <i>(Standing Order 4)</i>  |
| (c) Attendance at meeting                      | <i>(Standing Order 5)</i>  |
| (d) Conduct of meetings                        | <i>(Standing Order 7)</i>  |
| (e) Members Interests                          | <i>(Standing Order 8)</i>  |
| (f) Urgent matters                             | <i>(Standing Order 11)</i> |
| (g) Meetings to be open to the public          | <i>(Standing Order 12)</i> |
| (h) Confidentiality                            | <i>(Standing Order 13)</i> |
| (i) Voting                                     | <i>(Standing Order 14)</i> |
| (j) Prevention of disorder                     | <i>(Standing Order 19)</i> |
| (k) Suspension & alteration of Standing Orders | <i>(Standing Order 23)</i> |

## 24 INSPECTION OF DOCUMENTS

- 24.1 All reports made or minutes kept by the Authority shall be open for inspection by any Member at any reasonable time. Further, a Member may for the purposes of his/her duties as a Member, but not otherwise, inspect any document, report, file or background information which is in the possession of or under the control of the Authority (including documents and information held in electronic formats) that contains material relating to any business to be transacted at a meeting of the Authority or of any committee or sub-committee of the Authority, and shall be provided with a copy of such document, report or information on request.

**PROVIDED ALWAYS** that a Member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he/she or his/her spouse is professionally interested or in which he/she has a 'personal interest' or a 'disclosable pecuniary interest' (as set out in Standing Order 8 above) and that this Standing Order shall not require the Legal Adviser to the Authority to allow inspection of any document which is, or in the event of legal proceedings would be, protected by legal professional privilege.

- 24.2 A Member who wishes to inspect any other document or information, not falling within paragraph 24.1, should make a written request to the Chief Executive (National Park Officer) specifying the documents or information.
- 24.3 Unless the Chief Executive (National Park Officer), after consultation with the Chair, believes that the request to inspect the document or information is unreasonable or improper or that the Member appears to have a personal or prejudicial interest in respect of any matter contained or referred to in the document or information, the document and information requested shall be produced for the Member's inspection.
- 24.4 If the Member's request under paragraph 24.2 appears to raise any legal issues affecting the Authority, the Monitoring Officer and the Authority's Legal Adviser shall be consulted before any decision is made.
- 24.5 If the matter is not resolved to the satisfaction of the Member making the request, it shall be referred to the next full meeting of the Authority.

## **25 AUTHENTICATION OF DOCUMENTS**

Where any document will be a necessary step in legal proceedings or shall be a legal agreement, contract, notice, or order under hand on behalf of the Authority it shall (unless any other enactment requires or authorises or the necessary delegated authority shall have been given to some other person) be signed by the Chief Executive (National Park Officer) or in his/her absence by an Authorised Officer of the Authority.

## **26 THE AUTHORITY'S SEAL**

### **26.1 Custody of Seal**

The Common Seal of the Authority shall be kept in the custody of the Monitoring Officer who will arrange its safe keeping.

### **26.2 Sealing of Documents**

The Common Seal of the Authority shall not be affixed to any document unless the matter has been authorised by a resolution of the Authority, committee or sub-committee or by an Officer to whom the Authority have delegated their powers in this behalf.

### **26.3 Attestation of Sealing**

The Seal shall be attested by the Chief Executive (National Park Officer) or an Authorised Officer of the Authority and an entry of every sealing of a document shall be made and consecutively numbered in a sealing register.

## **27 FINANCIAL REGULATIONS**

The Authority and its committees, sub-committees, working panels & other groups and every Member and Officer shall at all times act in accordance with

and behave in conformity with all financial regulations as may be made by the Authority.

## **28 APPOINTMENT OF CHIEF OFFICER**

*Environment Act 1995 Schedule 7 para 14; Local Authorities (Standing Orders) Regulations 1993 Schedule 1*

- 28.1 Pursuant to Schedule 7 of the 1995 Act, the Authority shall ensure that there is at all times a person appointed as Chief Executive (National Park Officer) with responsibility for the execution, maintenance and co-ordination of the Authority's duties, functions and responsibilities.
- 28.2 Appendix 4 to these Standing Orders shall govern the appointment of the Chief Executive (National Park Officer) and any matter concerning the investigation and/or discipline of the Chief Executive (National Park Officer).

## **29 INTERPRETATION OF STANDING ORDERS**

The decision of the Chair on all points of procedure, order and interpretation of these Standing Orders shall be final and no debate shall be permitted thereon **PROVIDED ALWAYS** that the Chair's ruling on a particular point of procedure, order or interpretation of these Standing Orders may be reversed by motion without notice, which motion being duly seconded shall be put without debate.