

Section A: Standing Orders - General and Introduction

Interpretation and Definitions

1.

- (1) These Standing Orders are the rules which apply to the proceedings of committees and decision making at the council.
- (2) These Standing Orders have five Sections:
 - a. General and Introduction
 - b. Full Council Procedural Standing Orders
 - c. Cabinet Procedural Standing Orders
 - d. Committee Procedural Standing Orders
 - e. Overview and Scrutiny Procedural Standing Orders
- (3) References in these Standing Orders to the Chairman of the Council, Leader of the Council or Chair of a Committee, include the appointed Vice-Chairman of the Council or Deputy (Deputies) or any other Member acting at a meeting in their absence.
- (4) These Standing Orders should be read in conjunction with the rest of the Council's constitution, including but not limited to:
 - a. Terms of Reference
 - b. Schemes of Delegation;
 - c. Procurement Rules (Contract Standing Orders) and Financial Regulations;
 - d. Ethical Framework i.e. Code of Conduct, Development Control Good Practice;
 - e. Members' Allowances Scheme
- (5) References in these Standing Orders to motions include reference to amendments where appropriate.
- (6) Unless specified, reference in these Standing Orders to a "member" of a committee shall refer to any member of a committee, including non-voting and co-opted members.
- (7) At a meeting the interpretation and application of these Standing Orders lies with the Chairman. The Monitoring Officer shall advise the Chairman as necessary and shall be responsible for ruling on the interpretation and application of these Standing Orders in between meetings. The ruling of the Chairman or Monitoring Officer is final.
- (8) References in these Standing Orders to requirements to make submissions of request in writing shall include e-mails, as long as the email is from the councillors own Lancashire County Council provided e-mail account. When making submissions or requests using email, these should be sent to democratic.services@lancashire.gov.uk.

(9) References in these Standing Orders to other relevant Standing Orders shall refer to the relevant paragraph in the same Section, unless otherwise stated.

Councillors' General Conduct at Meetings

2. All councillors shall:
 - (a) respect the Chair at all times.
 - (b) adhere to the Member's Code of Conduct when attending a meeting.
 - (c) recognise and acknowledge that they are personally responsible for their own conduct and have a responsibility to secure and promote good conduct on the part of all Councillors and of their Political Group.
 - (d) exercise a reasonable degree of self control in their conduct and behaviour at meetings and shall not make a personal attack on any other Councillor or Officer.
3. The Chair of a meeting shall
 - (a) act to maintain order, and may require a member acting in breach of the above to apologise.
 - (b) at all times act impartially, fairly and honestly in upholding these Standing Orders and ensuring the smooth running of council meetings.
 - (c) explain rulings and decisions if invited to do so by a councillor in a meeting.

Principles of Decision Making

4. All decisions of the council, including Cabinet and Committees, will be
 - (a) proportionate in all ways, including financially, to the issues under consideration and to the desired outcome.
 - (b) based on appropriate consultation and professional officer advice
 - (c) In line with our duties around Human Rights and equality and diversity
 - (d) clear in terms of aims and outcomes
 - (e) in line with the legal test of reasonableness
 - (f) made with all relevant information being available to the decision makers, and, where appropriate, other councillors and the public

Section B - Full Council - Procedural Standing Orders

Annual Meeting

1. The Annual Meeting of the Full Council shall, subject to Standing Order 4, be held:
 - (a) in the year of County Council elections within 3 weeks after the date of the election.
 - (b) in any other year on a day in May as the Full Council decides.

Ordinary Meetings

2. Subject to Standing Order 4, Ordinary meetings will take place in accordance with a programme decided by the Full Council.

Extraordinary Meetings

3. Those listed below may request the Chief Executive to call an extraordinary meeting:
 - (a) The Council by resolution;
 - (b) The Chairman of the Council;
 - (c) Any five members of the Council if they have signed a request presented to the Chairman and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the request;

Place and Time of Meetings

4. (1) Meetings shall be held in County Hall, Preston, on a Thursday at 1.30 pm or at such other time as the Full Council may decide.
 - (2) The Chairman, in his discretion, may alter the time of the meeting, or, in consultation with the Political groups represented on the Council, the date or place.

Changes to Calendar of Meetings

5. A timetable of meetings will be approved annually by Full Council. Any alterations to the date, time and venue for a meeting and any additional meetings shall be approved by the Chairman in accordance with Standing Order 4(2). There will be a presumption against alterations once the annual timetable has been approved.

Allocation of Seats in the Council Chamber

6. Each seat in the Council Chamber shall be numbered and allocated to Councillors upon the instruction of the Chairman of the Council.

Attendance at Meetings

7. All Councillors present during the whole or part of a meeting shall have their attendance recorded.

Quorum

8. The quorum of a meeting shall be a quarter of the Full Council's membership at the time of the meeting. If at any time there is not a quorum, the meeting shall be adjourned for 15 minutes. If after that time there is still not a quorum, the meeting and any remaining business shall stand adjourned to a time fixed by the Chairman or, if he/she does not fix a time, to the next ordinary meeting.

Chair of Meeting

9. At every meeting the Chairman, if present, shall preside. If the Chairman is absent, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent, the meeting shall elect a Chairman from one of its voting members for the duration of the meeting.

Chairman's - Interpretation and Application of Standing Orders

10. (1) The ruling of the Chairman at any meeting, as to the interpretation and application of any of these Standing Orders, or as to the proceedings of Full Council, shall be final.

(2) The Chairman may be invited to explain or reconsider a ruling by any voting member. Once this has been provided, the Chairman's ruling cannot be challenged further, other than by an order of the court.

Chairman Standing - Call to Order

11. If the Chairman so directs or stands, a Councillor speaking must immediately resume his/her seat and be silent.

Interruption by a County Councillor

12. (1) If a Councillor persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the Councillor be not heard further. If seconded, the motion will be voted on without discussion.

(2) If the Councillor continues to behave improperly after such a motion is

carried, the Chairman may move that either the Councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded the motion will be voted on without discussion.

Interruption by a member of the public

13. If a member of the public interrupts the meeting the Chairman will warn the person concerned. If they continue to interrupt the Chairman will order their removal from the meeting room.

General Disturbance

14. If there is a general disturbance making orderly business impossible the Chairman may adjourn the meeting for as long as he/she thinks necessary.

Councillors Standing to Speak – Two Councillors Not to Remain Standing

15. When speaking, a Councillor must stand and address the meeting through the Chairman. If more than one Councillor stands the Chairman will ask one to speak and the others must sit. Other Councillors must remain seated whilst a Councillor is speaking unless they wish to make a point of order or a point of personal explanation. With the permission of the Chairman, this Standing Order shall not apply to any Councillor who is unable to stand for whatever reason.

Explanation of Speech

16. A Councillor may make a personal explanation at any time with the permission of the Chairman. An explanation shall only relate to some material part of his/her earlier speech which may have been misunderstood. The ruling of the Chairman on the admissibility of a personal explanation shall be final and not open to discussion.

Point of Order

17. A Councillor may raise a point of order at any time in relation to an alleged breach of a Standing Order or law and shall be entitled to be heard immediately. The Councillor must specify the Standing Order or law and the way in which he or she considers it has been broken. The ruling of the Chairman on a point of order shall be final and not open to discussion.

Agenda

18. The Chief Executive shall issue an Agenda not less than five clear working days before a meeting.

Order of Business

19. (1) Subject to Standing Order 19(2), the Agenda shall be divided into

Part A (Matters for Decision), Part B (Matters for Information) and Part C (Notices of Motion) and the order of business (other than at an extraordinary meeting) shall be:

- (a) to appoint a person to preside if the Chairman and Vice - Chairman are absent;
 - (b) Councillor Question Time (Standing Order 28)
 - (c) to confirm the Minutes of the last meeting of the Full Council;
 - (d) to deal with Reports of the Cabinet, Committees and Executive Directors, Directors and Heads of Service;
 - (e) to consider Notices of Motion in the order in which they have been set out in the agenda. The Chairman may alter the order in which they are discussed at the meeting.
 - (f) other business, if any, specified in the Agenda.
- (2) The order of business falling under Standing Orders 19(1) (b) - (e) may be varied by the Chairman at his/her discretion or by resolution which shall be moved and voted upon without debate.
 - (3) The only business to be conducted at an Extraordinary meeting of the Council shall be the business specified in the summons for the meeting.

Consideration by Full Council of Cabinet Proposals and Conflict Resolution

20. The Full Council will resolve any disputes between the Full Council and the Cabinet in setting the Policy and Planning Framework and the Budget in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).

Moving of Cabinet or Committee Recommendations

21. At a Full Council meeting the adoption of any recommendations of the Cabinet or a Committee shall be moved by a Cabinet Member or the Chairman of the Committee, or in their absence by another member of the Cabinet or the Committee.

Committee Reports to Full Council

22. The following Committees shall submit a report on decisions taken to the next ordinary meeting of Full Council. Each report shall be presented by the Chair of the relevant Committee:
 - Conduct
 - Health and Wellbeing Board
 - Employment Committee

- Lancashire Pension Fund Committee
- Audit, Risk & Governance Committee
- The Overview and Scrutiny Committees
- Urgency Committee

Minutes

- 23.** (1) The Minutes of each meeting shall be presented to the next Ordinary meeting of the Full Council. Where the next meeting is an Extraordinary meeting, the minutes of the previous meeting shall not be presented, but shall instead be presented to the next Ordinary meeting.
- (2) The Chairman shall put the question that the Minutes of the previous meeting be approved as a correct record. No discussion shall take place about the Minutes, except about their accuracy. If no question is raised, or when a question about the accuracy of the Minutes has been raised and dealt with, the Chairman shall sign the Minutes as a true and correct record.
- (4) A record of each decision taken by the Full Council shall be available for public inspection at County Hall and on the Council's website as soon as reasonably practicable.

Suspension of Standing Orders

- 24.** (1) The Full Council's Procedural Standing Orders, except those detailed at Standing Order 24(2), may be suspended by motion with or without notice if at least one half of the whole number of members of the Full Council are present and vote. Suspension can only be for the duration of the meeting.
- (2) (i) Standing Order 45(2) below, (Matters decided by a simple majority of Councillors voting and present);
- (ii) Standing Order 45(5) below, (Request by a Councillor that their vote be recorded);
- (iii) Standing Order 45(6) below, (Chair to have a casting vote);
- (iv) Standing Order 23(1) above, (Minutes to be signed at the next ordinary meeting if the next actual meeting is an extraordinary meeting);

25. Exclusion of Press and Public

- (1) The Full Council may exclude the press and other members of the public from a meeting during an item of business wherever 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 or confidential information

- (2) If any question arises at a meeting of the Full Council as to the appointment, promotion, dismissal, salary, superannuation, or conditions of service, or as to the conduct of, any person employed by the County Council, such question shall not be the subject of discussion until the Full Council has decided whether or not the power of exclusion of the public under the relevant statutory power shall be exercised.
- (3) The business which is the subject of a resolution under Standing Orders 25(1) or 25(2) shall stand adjourned until all other business of the meeting has been transacted whereupon the press and other members of the public shall leave the meeting and the adjourned business shall then be considered.

Procedure for dealing with matters of Urgent Business which cannot await a meeting of the Full Council

26. (1) The Chief Executive, the Monitoring Officer and each Executive Director may deal with matters of urgency which cannot await a meeting of the Full Council or the Urgency Committee of the Full Council, following consultation with the Chair and Deputy Chair of the Urgency Committee. The other political group spokespersons on the Urgency Committee should be informed of matters of urgency as soon as practicable after the decision has been made. In the event that a political group is not represented on the Urgency Committee, the Leader of that Group shall, subject to the Council's Access to Information Procedure Rules, be informed of the decision taken.
- (2) The provisions at Standing Order 26(1) shall be suspended in the period beginning with the fourth day after the County Council Elections and ending on the date of the first Annual Meeting of the new Council. During that period, the Chief Executive may deal with matters of urgency which cannot await a meeting of Full Council where delay would significantly and materially prejudice the interests of the County Council or the inhabitants of the County.
- (3) The Chief Executive shall only exercise the powers at Standing Order 26(2) following consultation with the Leader (or in his/her absence, the Deputy Leader) of any political group with an overall majority, or if there is no majority political group, the Leader (or in his/her absence the Deputy Leader) of all political groups on the Council. In the event there is no Leader or Deputy Leader of any political group during that period, the Chief Executive shall consult with a representative or representatives of that group as he/she considers appropriate.

Procedure for dealing with matters of Urgent Business at meetings

27. An item of business not included on an Agenda shall only be considered where, by reason of special circumstances which shall be specified in the Minutes, the Chairman of the County Council is of the opinion that the item should be considered at the meeting as a matter of urgency.

Councillor Question Time

28. (1) Subject to the provisions of this Standing Order, a Councillor may ask a question at Full Council about any matter relating to the Council's powers and duties; or which affects the Council's administrative area or its residents; or which affects an organisation on which the Council is represented by a Councillor appointed or nominated by it.
- (2) A Councillor may ask only one question at a meeting, although he/she may also ask one related supplementary question.
- (3) Subject to Standing Order 28(4) below, a question under this Standing Order must be submitted in writing to the Head of Legal and Democratic Services by no later than 12 noon seven clear working days before the Council meeting. For example, if the meeting is on a Thursday, the question must be received in writing by 12 noon on the Monday of the preceding week.
- (4) The time limit set out in Standing Order 28(3) above may be waived to allow a Councillor to ask a question on any matter as described therein, where the Chairman and the Monitoring Officer are satisfied that the circumstances giving rise to the question have arisen after the date specified and that the matter is of genuine urgency, and provided that the question is received in writing by 12 noon on the day before the Council meeting.
- (5) Questions asked under Standing Order 28(4) above shall not be subject to the time limit at each Council meeting for questions from Councillors, specified in Standing Order 28(12) below.
- (6) Questions shall be asked in the order received and included on the Council agenda by the Head of Legal and Democratic Services, but the order can be varied in exceptional circumstances by the Chairman with the consent of the Council.
- (7) The Councillor shall ask the question him/herself. If the Councillor is not present at the meeting when the Chairman invites him/her to ask the question, the question shall not be asked and shall receive a written reply. Any such written reply will be circulated to all Councillors.
- (8) The Councillor shall ask the question, as set out in the agenda, without

making an introductory or explanatory speech.

- (9) Any such question may, at the invitation of the Chairman, be answered by the following as appropriate:
- (a) the Leader or a Cabinet/Lead Member;
 - (b) another Councillor nominated by the Leader or Cabinet/Lead Member
- (10) There shall also be a time limit of five minutes for each answer given orally to a question from a Councillor.
- (11) Once the question has been answered the councillor asking the original question may ask a supplementary question on the same topic without making an introductory or explanatory speech.
- (12) The time limit at each Council meeting for questions from Councillors under Standing Order 28 is thirty minutes but this can be extended for a short period at the Chairman's discretion.
- (13) If questions are not answered within the time limit set out in Standing Order 28(12) above, the Head of Legal and Democratic Services will arrange for the Councillor who submitted the question to receive a written reply. Any such written reply will be circulated to all Councillors.

Councillor Questions on Cabinet and Committee Reports

- 29.** In relation to a report which appears on an agenda, any Councillor may ask the relevant Cabinet Member or Committee Chair questions on that Report. Where practicable, the Councillor should give notice to the Chief Executive of his/her intention to refer to that matter.

Motions and Amendments

(In this section, all references to Motions refer equally to Amendments unless otherwise specified)

Scope of Motions

- 30.** Motions must be about matters for which the Council has a responsibility or which directly affect the Council's area.

Motions which may be Moved without Notice

- 31.** The following Motions may be moved without Notice;

- (a) appointment of a Chairman of the meeting at which the Motion is made;
- (b) relating to the accuracy of the Minutes;
- (c) that an item of business specified in the Agenda shall have precedence;
- (d) to adopt recommendations of the Cabinet, a Committee or an Executive Director submitted to the Full Council for decision;
- (e) to refer back a recommendation of a Committee, the Cabinet or an Executive Director;
- (f) that a Motion be withdrawn or amended;
- (g) any of the matters referred to in Standing Order 24 (Suspension of Standing Orders), Standing Orders 45(4) and 45(5) (Voting) or Standing Order 44(1) (Closure of debate);
- (h) to exclude the public and press in accordance with the Access to Information Rules;
- (i) that a Councillor be suspended from the meeting Standing Orders 12(1) and (2) - Interruption by a County Councillor);

32. If any Councillor wishes to move a Motion under this paragraph he/she must first specify the Motion, and in the case of a Motion under Standing Order 31.1 (f) above, shall immediately after speaking hand the Motion in writing to the Chief Executive.

Motions which cannot be Moved

33. The following motions shall not be accepted by the Chief Executive:

- (a) any Motion which seeks to rescind any resolution or decision which has been passed at a meeting of the Full Council held within the preceding 12 months.
- (b) any Motion which has been voted upon, but not carried within six months of the date of the meeting of the Full Council at which it, or one to the same effect, was voted upon.
- (c) Any motion which would require the Council to act in breach of its own Constitution or legislation
- (d) Any motion which requires the Council to act in a way that is beyond its powers and responsibilities

Withdrawal of Motion which is before the Council

- 34.** A Notice of Motion will be regarded as withdrawn if:
- (1) prior to the Council meeting, an indication to this effect is given in writing to the Chief Executive by the Member who submitted the Notice, or
 - (2) at the Council meeting, oral notice to this effect is given by the Member who submitted the Notice, or
 - (3) the Notice of Motion is not moved and seconded at the meeting of Council.

Motions not dealt with

- 35.** Any Motion which has not been disposed of at any Full Council meeting shall be dealt with at the next meeting of the Full Council unless withdrawn by the original mover.

Submission of Notice of Motion in Writing and Ruling of the Chief Executive

- 36.**
- (1) Notice of every Motion, other than a Motion referred in Standing Order 31 above, shall be given in writing, signed by the Councillor(s) giving the Notice, and delivered to the Chief Executive no later than 12 noon at least seven clear working days before the meeting of the Full Council. For example, if the meeting is on a Thursday, the question must be received in writing by 12 noon on the Monday of the preceding week.
 - (2) The Chief Executive will consider the Notice of Motion submitted in accordance with Standing Order 36(1) above and, subject to Standing Order 36(3) below, include the Motion in the agenda in the order in which they have been received. The Chairman may alter the order in which they are discussed at the meeting.
 - (3) The Chairman may on the advice of the Chief Executive rule that a Notice of Motion is out of order.
 - (4) If a Notice of Motion is ruled out of order the Councillor who gave the notice shall be notified by the Chief Executive and the Notice shall be brought to the attention of Full Council.
 - (5) Any Notice of Motion which is received after the specified time at Standing Order 36(1) above, may only be considered if the Chairman of the meeting agrees by reason of special circumstances which shall be specified in the Minutes.

Speaking on Motions

- 37.** (1) Councillors may only speak on a matter which appears in the Agenda or

in respect of a matter at meetings of the Full Council on which a Notice of Motion has been properly registered.

- (2) No Councillor shall speak more than once on each Motion, except:
 - (a) to speak once on an Amendment moved by another Member;
 - (b) if the motion has been amended since he/she last spoke, to move a further Amendment;
 - (c) if his/her first speech was on an amendment moved by another Member, to speak on the main issue, whether or not the amendment on which he/she spoke was carried;
 - (d) in exercise of a right of reply;
 - (e) on a point of order referring to the specific Procedure Rule;
 - (f) by way of personal explanation of any material statement made by him/her which he/she believes to have been misunderstood;
 - (g) to move one of the motions specified in Standing Orders 10(2), 24 and 44 when the procedure in those paragraphs shall be followed.
- (3) When a Councillor speaks, he/she must confine his/her remarks strictly to the Motion then under discussion.
- (4) A councillor may, during his or her speech, move an amendment to a motion, subject to Standing Orders 39 and 40 below. Moving an amendment is considered to constitute a speech.
- (5) No Councillor may speak on a Motion after the mover has indicated that he/she wishes to withdraw the Motion in accordance with Standing Order 34 above.

Length of speeches and debates

- 38.** (1) No speech at Full Council shall exceed 5 minutes except:
- (a) When moving a report
 - (b) When the Cabinet Member with responsibility for Finance presents his or her budget
 - (c) When Opposition Group Spokespersons present their budget proposals.

- (2) Where the length of a speech is subject to a time limit, the councillor speaking shall receive notification of one minute remaining before he/she has to finish speaking.
- (3) The following will apply to the debate on Motions of which notice has been given under Standing Order 36(1) above or Notices of Motion accepted by the Chairman, under Standing Order 36(5) above, as an urgent item of business:
 - (a) there will be a maximum time limit of 30 minutes per motion and any amendments thereto;
 - (b) the maximum length of time for the consideration of all such motions at a meeting will be 90 minutes;
 - (c) the Chairman may extend the limits at 5(a) and (b) above in a particular case.
- (4) All timings of speeches are at the discretion of the Chairman and his/her decision is final.

Moving and Seconding of Motions

- 39.**
- (1) Every Motion must be moved and seconded before any debate can take place.
 - (2) Only one Amendment may be moved and discussed at any one time. No further Amendment may be moved until the Amendment under discussion has been disposed of.
 - (3) An Amendment must be relevant to the Motion and shall either be:
 - (a) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (b) to leave out a word or words;
 - (c) to leave out a word or words and insert or add others, or
 - (d) to insert or add a word or words.as long as the effect of leaving out, inserting or adding a word or words is not to negate the motion.
 - (4) Any Councillor may second a Motion, reserving his/her speech for a later period of the debate.

Amendment Carried to Become Substantive Motion

- 40.**
- (1) If an Amendment is carried, the Motion, as amended, takes the place of

the original Motion and becomes the substantive Motion. The mover of the Amendment has the right to reply in accordance with Standing Order 43(1) and (2) below.

- (2) After an amendment has been carried, the Chairman will read out the amended Motion before accepting any further amendments.

Subsequent Amendments

41. If the first Amendment is lost, then subsequent Amendments may be moved to the original Motion.

Friendly Amendments

42. The mover of a Motion may amend or accept an Amendment without debate or vote. The amended Motion automatically becomes the substantive Motion, and the mover of the original motion retains the right to reply in accordance with Standing Order 43(1) and (2) below.

Right of Reply

43. (1) The mover of a Motion has a right of reply at the end of the debate on the motion immediately before it is put to the vote.
 - (2) If an Amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the Amendment but may not otherwise speak on it.
 - (3) The mover of the Amendment has no right of reply to the debate on his or her Amendment.

Closure of Debate

44. (1) A Councillor may move without comment the following motions at the end of a speech of another Councillor:
 - (a) "That the question be now put";
 - (b) "That the Full Council proceed to the next business";
 - (c) "That the debate be adjourned";
 - (d) "That the Full Council adjourn";
- (2) If a motion to proceed to the next business is seconded and the Chairman considers the item has been sufficiently discussed, he/she give the mover of the original motion a right of reply and then put the procedural motion to the vote.

- (3) If a motion that the question be now put is seconded and the Chairman considers the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting the motion to the vote.
- (4) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

Voting

- 45.**
- (1) Votes shall be by show of hands or by affirmation of the meeting.
 - (2) Subject to Standing Order 45(3) below, any matter will be decided by a simple majority of Councillors (and Co-opted members) entitled to vote and present in the room at the time the question was put.
 - (3) At a Full Council meeting Councillors must be in their designated seats for their vote to be counted.
 - (4) Any six Councillors may request a named vote and shall signify their wish for a named vote rising in their places. The names for and against and those abstaining shall then be taken down in writing and recorded in the minutes.
 - (5) Immediately after a vote is taken any Councillor may request that it is recorded in the Minutes of that meeting how he/she voted, or abstained from voting,
 - (6) The Chairman shall have, in case of equality of votes, a second or casting vote.
 - (7) In accordance with the Local Government (Standing Orders) (England) (Amendment) Regulations 2014 there must be a recorded vote on decisions taken at the Budget meeting of the Council, or at any meeting where making the calculation or issuing the precept is included as an item of business. Immediately after any vote is taken there must be recorded in the minutes the names of the Councillors who cast a vote for or against the decision or who abstained from voting.

Section C - Cabinet - Procedural Standing Orders

Calendar of meetings

1. Subject to Standing Order 3, meetings of the Cabinet will take place in accordance with a programme decided annually by the Full Council.

Extraordinary Meetings

2. The Leader of the Council may request the Chief Executive to call an extraordinary meeting of Cabinet

Place and Time of Meetings

3. (1) Meetings shall be held in County Hall, Preston, on a Thursday at 2 pm or at such other time as the Cabinet may decide.
(2) The Leader of the Council, at his or her discretion, may alter the time, date or place of the meeting.

Attendance at Meetings

4. All Councillors present during the whole or part of a meeting of Cabinet shall have their attendance recorded.

Chair of Meeting

5. At every meeting the Leader of the Council, if present shall act as Chair and shall preside. If the Leader is absent, the Deputy Leader, if present, shall preside. If both the Leader and the Deputy Leader are absent, the Cabinet shall elect a Chair from one of its members for the duration of the meeting.

Chair's Interpretation and Application of Standing Orders

6. (1) The ruling of the Chair at any meeting, as to the interpretation and application of any of these Standing Orders, or as to the proceedings of Cabinet, shall be final.
(2) The Chair may be invited to explain or reconsider a ruling by any voting member. Once this has been provided, the Chair's ruling cannot be challenged further, other than by an order of the court.

Chair Standing - Call to Order

7. If the Chair so directs or stands, a Councillor speaking must immediately resume his/her seat and be silent.

Interruption by a County Councillor

8. (1) If a Councillor persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Councillor be not heard further. If seconded, the motion will be voted on without discussion.
- (2) If the Councillor continues to behave improperly after such a motion is carried, the Chair may move that either the Councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded the motion will be voted on without discussion.

Interruption by a member of the public

9. If a member of the public interrupts the meeting the Chair will warn the person concerned. If they continue to interrupt the Chair will order their removal from the meeting room.

General Disturbance

10. If there is a general disturbance making orderly business impossible the Chair may adjourn the meeting for as long as he/she thinks necessary.

Minutes

11. (1) The Chair will sign the minutes of the proceedings at the next suitable meeting to confirm that they are a correct record. The minutes of a meeting shall not be discussed other than in relation to their accuracy.
- (2) Where the next Cabinet meeting is an Extraordinary Meeting the minutes shall be signed at the next Ordinary meeting.
- (3) A record of each decision taken by the Cabinet shall be published in accordance with Standing Order 30

Quorum

12. The quorum at a meeting of the Cabinet or a Cabinet Committee shall be two voting Councillors.

Cabinet Committee Membership and Voting Rights

13. Committees of the Cabinet shall comprise members of the Cabinet and such other County Councillors and co-opted members as the Leader shall decide. Only Cabinet Members may vote.

Attendance at Meetings

14. (1) Lead Members may, in the absence of the relevant Cabinet Member, attend meetings of the Cabinet and participate fully in discussion on all agenda items, but cannot vote.
- (2) The Leader and Deputy Leader of the main opposition group may, as of right, attend meetings of the Cabinet and participate fully in discussion on all agenda items, but cannot vote.
- (3) Meetings of the Cabinet and any Committees of the Cabinet shall have in attendance the Chief Executive, the Chief Financial Officer, the Monitoring Officer and other relevant Executive Directors in the light of items to be discussed, or their nominated representatives.

Exclusion of Press and Public

15. (1) The Cabinet may exclude the press and other members of the public from a meeting during an item of business wherever 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 or confidential information
- (2) If any question arises at a meeting of the, Cabinet or Cabinet Committee as to the appointment, promotion, dismissal, salary, superannuation, or conditions of service, or as to the conduct of, any person employed by the County Council, such question shall not be the subject of discussion until the Cabinet or Cabinet Committee, as the case may be, has decided whether or not the power of exclusion of the public under the relevant statutory power shall be exercised.
- (3) The business which is the subject of a resolution under Standing Orders 15(1) or 15(2) shall stand adjourned until all other business of the meeting has been transacted whereupon the press and other members of the public shall leave the meeting and the adjourned business shall then be considered.

Procedure for dealing with matters of Urgent Business following an election

16. (1) During the period beginning with the fourth day after the County Council Elections and ending on the date of the first Annual Meeting of the new Council, the Chief Executive may deal with matters of urgency which cannot await a meeting of the Cabinet where delay would significantly and materially prejudice the interests of the County Council or the inhabitants of the County.

- (2) The Chief Executive shall only exercise the powers at Standing Order 21(2) following consultation with the Leader (or in his/her absence, the Deputy Leader) of any political group with an overall majority, or if there is no majority political group, the Leader (or in his/her absence the Deputy Leader) of all political groups on the Council. In the event there is no Leader or Deputy Leader of any political group during that period, the Chief Executive shall consult with a representative or representatives of that group as he/she considers appropriate.

Procedure for dealing with matters of Urgent Business at meetings

17. Subject to Standing Order 20 an item of business not included on an Agenda shall only be considered where, by reason of special circumstances which shall be specified in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

Executive Meetings held in public

18. (1) All decision-making meetings of the Cabinet or of any Committee of the Cabinet shall be held in public
- (2) Standing Order 18(1) does not apply if there would be a disclosure of exempt or confidential information
- (3) If the Cabinet or any committee of the Cabinet wish to hold a meeting in private, it must, at least 28 clear days before a private meeting, make available at County Hall, Preston, a notice of its intention to hold the meeting in private, and publish that notice on the Council's website.
- (4) A notice under Standing Order 18(3) must include a statement of the reasons for the meeting to be held in private.
- (5) At least five clear working days before a private meeting, the Cabinet or Cabinet Committee must make available at County Hall, Preston, a further notice of its intention to hold the meeting in private, and publish that notice on the Council's website.
- (6) A notice under Standing Order 18(5) must include:
 - (a) a statement of the reasons for the meeting to be held in private;
 - (b) details of any representations received by the Cabinet or Cabinet Committee about why the meeting should be open to the public; and
 - (c) a statement of its response to any such representations.
- (7) Where the date by which a meeting must be held makes compliance with Standing Orders 18(3) impracticable, the meeting may only be

held in private where the Cabinet or Cabinet Committee has obtained agreement from:

- (a) the Chair of the relevant Overview and Scrutiny Committee; or
- (b) if there is no such person, or if the Chair of the relevant Overview and Scrutiny Committee is unable to act, the Chairman of the County Council; or
- (c) where there is no Chairman of either the relevant Overview and Scrutiny Committee or of the County Council, the vice-chairman of the County Council,

that the meeting is urgent and cannot reasonably be deferred.

- (8) As soon as reasonably practicable after the Cabinet or Cabinet Committee has obtained agreement under Standing Order 18(7) to hold a private meeting, it must make available at County Hall, Preston a notice setting out the reasons why the meeting is urgent and cannot reasonably be deferred; and publish that notice on the Council's website.

Consideration of Key Decisions

- 19.** (1) A key decision means an executive decision which is likely:
- (a) to result in the council incurring expenditure which is, or the making of savings which are significant having regard to the council's budget for the service or function which the decision relates; or
 - (b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the council.

For the purposes of paragraph (1)(a), the threshold for "significant" is £1.5 million.

- (2) Where a decision maker intends to make a key decision, that decision must not be made until a document has been published in accordance with Standing Order 19(3), which states:
 - (a) that a key decision is to be made;
 - (b) the matter in respect of which the decision is to be made;
 - (c) where the decision maker is an individual, that individual's name, and title if any and, where the decision maker is a decision-making body, its name and a list of its members;

- (d) the date on which, or the period within which, the decision is to be made;
 - (e) a list of the documents submitted to the decision maker for consideration in relation to the matter in respect of which the key decision is to be made;
 - (f) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;
 - (g) that other documents relevant to those matters may be submitted to the decision maker; and
 - (h) the procedure for requesting details of those documents (if any) as they become available.
- (3) At least 28 clear days before a key decision is made, the document referred to in Standing Order 19(2) must be made available for inspection by the public at County Hall and on the Council's website and intranet.
- (4) Where, in relation to any matter including exempt or confidential information the document referred to in Standing Order 19(3) must contain particulars of the matter but may not contain any confidential or exempt information.
- (5) At least 5 clear working days before a key decision is made, the relevant report in respect of the decision to be made must be made publicly available.

General Exception to the Publication of the Intention to make a Key Decision

- 20.** (1) Where the publication of the intention to make a key decision in accordance with Standing Order 19(3) is impracticable and the matter would be a key decision, that decision shall only be made:
- (a) where the Chief Executive has informed the Chair of the relevant Overview and Scrutiny Committee or, if there is no such person, each member of the relevant Overview and Scrutiny Committee by notice in writing, of the matter about which the decision is to be made;
 - (b) where the Chief Executive has made available at County Hall, Preston for inspection by the public and published on the council's website a copy of the notice given under Standing Order 20(1)(a); and

- (c) after five clear working days have elapsed following the day on which the Chief Executive made available the notice referred to in Standing Order 20(1)(b).
- (2) As soon as reasonably practicable after the Chief Executive has complied with Standing Order 20(1), he or she must make available at County Hall, Preston a notice setting out the reasons why compliance with Standing Order 19(3) is impracticable; and publish that notice on the council's website.

Urgent Key Decisions

21. (1) Where the date by which a key decision must be made makes compliance with Standing Order 19(5) impracticable, the decision shall only be made where the decision maker has via the Chief Executive obtained agreement from:
- (a) the Chair of the relevant Overview and Scrutiny Committee; or
 - (b) if there is no such person, or if the Chair of the relevant Overview and Scrutiny Committee is unable to act, the Chair of the County Council; or
 - (c) where there is no Chair of either the relevant Overview and Scrutiny Committee or of the County Council, the Deputy Chair of the County Council,
- that the making of the decision is urgent and cannot reasonably be deferred.
- (2) As soon as reasonably practicable after the Chief Executive has complied with Standing Order 21(1), he or she must make available at County Hall, Preston a notice setting out the reasons why compliance with Standing Order 19(3) is impracticable; and publish that notice on the council's website.

Report of Urgent Key Decisions to Full Council

22. The Leader shall submit, or ensure the submission of, a report at quarterly intervals to the Full Council containing details of each key decision taken during the preceding three months and agreed as urgent. The report shall include particulars of each such key decision and a summary of the matters in respect of which each decision was made.

Urgent Determinations outside Budget or Policy Framework

- 23.** (1) Any proposed determination of a matter in the discharge of a function of the Cabinet collectively, a member of the Cabinet, or a Committee of the Cabinet which is contrary to the Budget or Policy Framework set by the Full Council may only be taken in exceptional circumstances where;
- (a) the decision may reasonably be regarded as urgent and is designated as urgent by the relevant decision taker and
 - (b) the relevant decision taker has obtained a statement in writing that the determination needs to be made as a matter of urgency from the Chair of the relevant Overview and Scrutiny Committee or, in his/her absence, the Chair of the County Council, or in his/her absence, the Deputy Chair and, in the case of a proposed decision outside the Budget set by the Full Council, also from the Cabinet Member for with responsibility for Resources and Performance, or in his/her absence, the Leader of the Council.
- (2) Urgent determinations taken under Standing Order 23(1) must be reported to the next available meeting of the Full Council giving details of the emergency or other circumstances in which it was made and the reasons for the determination.
- (3) Notwithstanding Standing Orders 23(1) and 23(2), a Cabinet Member may make additions and amendments to the approved Capital Programme within his/her specific area of responsibility provided that a source of finance, other than borrowing, has been identified and the revenue consequences can be contained within existing budgetary provision.
- (4) Action taken under Standing Order 23(3) shall be reported for information to the next meeting of the Cabinet.

Disputes as to Decisions outside Budget or Policy Framework

- 24.** (1) In the event of disagreement or doubt as to whether a proposed decision is outside the Budget, this will be determined by the Chief Financial Officer who shall consult as necessary with the Monitoring Officer and all relevant Executive Directors.
- (2) In the event of disagreement or doubt as to whether a proposed decision is outside the Policy Framework, this will be determined by the Monitoring Officer who shall consult with all relevant Executive Directors.

Report to Full Council where Key Decision Procedure is not followed

25. Where a decision which was not treated as being a key decision has been made and a relevant Overview and Scrutiny Committee is of the opinion that the decision should have been treated as a key decision that Committee may require the Cabinet to submit a report to the Full Council, within such reasonable period as the Committee may specify. The report shall include the following details:
- (a) the decision and the reasons for the decision;
 - (b) the decision making body by which, or the individual by whom, the decision was made; and
 - (c) if the Cabinet is of the opinion that the decision was not a key decision, the reasons for that opinion.

Notification of Cabinet Functions Allocated by the Leader and Cabinet

26. The allocation of Cabinet functions shall be included in the Scheme of Delegation to Cabinet Members and the Scheme of Delegation to Officers. These schemes and the delegation of functions to Committees of the Cabinet shall be reported to the Full Council at its next meeting and will be included in the Constitution.

Advice When Taking Decisions

27. Decisions (including decisions taken under Standing Orders 20, 21 and 23) shall be taken only after the decision taker has considered any advice given by the Chief Executive, the Chief Financial officer, the Monitoring Officer and any other appropriate Executive Director or their nominated representatives.

Taking Effect of Executive Decisions

28. (1) Subject to Standing Order 28(3) and 29, any urgent decisions taken by the Leader (or in his/her absence the Deputy Leader) and the relevant Cabinet Member (including decisions taken under Standing Orders 20, 21 and 23), shall not take effect unless and until formally recorded in a form approved by the Chief Executive, and signed by the relevant decision takers and the Chief Executive or the appropriate Executive Director or his/her nominated representative as to the appropriateness of the record.
- (2) Subject to Standing Orders 28(3) and 29, decisions taken by Cabinet collectively (including decisions taken under Standing Orders 20, 21 and

23), shall be recorded in the minutes of the meeting and shall take immediate effect.

- (3) Decisions may be implemented on the expiry of three working days after a decision has been taken by Cabinet collectively or following the publication of an urgent decision taken by the Leader (or in his/her absence the Deputy Leader) and the relevant Cabinet Member, unless a meeting of the relevant Overview and Scrutiny Committee is called in accordance with and for the purpose of SO1 of Section E). In such cases, no action can be taken to implement the decision until the Committee has met and if necessary, the decision taker has responded in accordance with the process set out in SO2(11) of Section E to any request for the decision to be reconsidered.

- 29.** The Cabinet, a member of the Cabinet, a Committee of the Cabinet or an officer, may designate a decision as urgent if it is required to be acted upon urgently because any delay in its implementation could adversely affect the efficient execution of the County Council's responsibilities. In such cases a decision can be implemented immediately without waiting for three working days under Standing Order 29(3). The designation and the reasons for it shall be recorded as part of the decision. Where a decision is designated as urgent under this Standing Order an Overview and Scrutiny Committee shall not be entitled to exercise its functions under Section 21(3)(a) or (b) of the Local Government Act, 2000, (call-in) in relation to that decision.

Recording and Publication of Executive Decisions

- 30.**
- (1) For the purposes of this Standing Order, the Proper Officer shall be the Chief Executive.
 - (2) As soon as is reasonably practicable after an Executive decision has been made, the Proper Officer or a nominated representative, shall produce a written record in respect of that decision and which shall include the information specified in Standing Order 30(3). As soon as the record has been produced it shall be made available for inspection at County Hall and on the Council's website and Intranet.
 - (3) The information to be contained in the written records referred to in Standing Order 30(2) shall include:
 - (a) details of the decision and the reasons for the decision;
 - (b) details of any alternative options considered and rejected;
 - (d) details of any conflict of interest declared by:
 - i. any member of the meeting taking the decision; or

- ii. any member of the Cabinet who is consulted by the Leader (or in his/her absence the Deputy Leader) and the relevant Cabinet Member taking an urgent decision, or
- iii. an officer taking the decision under delegated authority

together with details of any dispensation granted.

Overview and Scrutiny

31. The above Standing Orders (18 to 30) should be read in conjunction with those relating to Overview and Scrutiny in Section E)

Rules of Debate

32. Members of the Cabinet may, at the discretion of the Chair, speak as often and for as long as the Chair allows.

Moving of Reports at Cabinet meetings

33. (1) Any Cabinet Member may move the recommendations contained in a report at a Cabinet meeting. In doing so, Cabinet Members may make amendments to the published recommendations.
- (2) Amendments to published recommendations must be relevant to the subject of the report
- (3) Recommendations moved at Cabinet do not need to be seconded.

Voting

34. (1) Votes shall be by show of hands or by affirmation of the meeting.
- (2) Subject to Standing Order 33(3) below, any matter will be decided by a simple majority of Councillors (and Co-opted members) entitled to vote and present in the room at the time the question was put.
- (3) Any six Cabinet members may request a named vote and shall signify their wish for a named vote by a show of hands. The names for and against and those abstaining shall then be taken down in writing and recorded in the minutes.
- (4) Immediately after a vote is taken any Cabinet Member may request that it is recorded in the Minutes of that meeting how he/she voted, or abstained from voting,
- (5) The Chair of a meeting shall have, in case of equality of votes, a second or casting vote.

Section D - Committees of the Full Council – Procedural Standing Orders

Ordinary Meetings

1. (1) Ordinary meetings of all Committees will take place in County Hall, Preston, in accordance with a programme decided annually by the Full Council
- (2) The Chair of a Committee, or the Committee by resolution, may alter the time, date or place of a meeting.

Extraordinary Meetings

2. The Chair of a Committee, or the Committee by resolution, may request the Chief Executive to call an extraordinary meeting of the Committee

Agenda

3. The Chief Executive shall issue an Agenda not less than five clear working days before a meeting.

Minutes

4. (1) The Chair will sign the minutes of the proceedings at the next suitable meeting to confirm that they are a correct record. The minutes of a meeting shall not be discussed other than in relation to their accuracy.
- (2) Where the next Committee meeting is an Extraordinary Meeting the minutes shall be signed at the next Ordinary meeting.
- (3) A record of each decision taken by Committees shall be available for public inspection at County Hall and on the Council's website as soon as reasonably practicable.

Chair of Meeting

5. At every meeting the Leader of the Council, if present shall act as Chair and shall preside. If the Leader is absent, the Deputy Leader, if present, shall preside. If both the Leader and the Deputy Leader are absent, the Cabinet shall elect a Chair from one of its members for the duration of the meeting.

Chair's Interpretation and Application of Standing Orders

6. (1) The ruling of the Chair at any meeting, as to the interpretation and application of any of these Standing Orders, or as to the proceedings of Cabinet, shall be final.

- (2) The Chair may be invited to explain or reconsider a ruling by any voting member. Once this has been provided, the Chair's ruling cannot be challenged further, other than by an order of the court.

Chair Standing - Call to Order

7. If the Chair so directs or stands, a Councillor speaking must immediately resume his/her seat and be silent.

Interruption by a County Councillor

8. (1) If a Councillor persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Councillor be not heard further. If seconded, the motion will be voted on without discussion.
- (2) If the Councillor continues to behave improperly after such a motion is carried, the Chair may move that either the Councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded the motion will be voted on without discussion.

Interruption by a member of the public

9. If a member of the public interrupts the meeting the Chair will warn the person concerned. If they continue to interrupt the Chair will order their removal from the meeting room.

General Disturbance

10. If there is a general disturbance making orderly business impossible the Chair may adjourn the meeting for as long as he/she thinks necessary.

Quorum

11. The quorum of a meeting shall be a quarter of the whole number of voting members of the Committee. If at any time there is not a quorum, the meeting shall be adjourned for 15 minutes. If after that time there is still not a quorum, the meeting shall stand adjourned to a time fixed by the Chair or, if he/she does not fix a time, to the next ordinary meeting.

Committee Vacancies and Membership Changes

12. If a vacancy occurs on a Committee, it may be filled by the appointment of a Councillor who has been nominated in writing to the Director of Corporate Services by the appropriate Political Group Officer. A Councillor will not be able

to take part in a Committee meeting or vote until the nomination has been received.

Attendance at Meetings

13. (1) Subject to Standing Order 13(2), and to the provisions of the Councillors Code of Conduct, any Councillor may attend meetings of any Committee including those of which they are not a member. They may not speak without the consent of the Committee, or in any case vote.
- (2) Cabinet Members shall not be members of the Development Control Committee or the Regulatory Committee but shall be entitled to attend any part of a meeting of those Committees in accordance with Standing Order 13(1) where a matter affecting their electoral division is under discussion.
- (3) Meetings of Committees shall have in attendance the relevant Executive Directors or their nominated representatives, in light of the items to be discussed.

Exclusion of Press and Public

14. (1) A Committee may exclude the press and other members of the public from a meeting during an item of business wherever 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 or confidential information
- (2) If any question arises at a meeting of any Committee as to the appointment, promotion, dismissal, salary, superannuation, or conditions of service, or as to the conduct of, any person employed by the County Council, such question shall not be the subject of discussion until the Full Council, Cabinet or Committee, as the case may be, has decided whether or not the power of exclusion of the public under the relevant statutory power shall be exercised.
- (3) The business which is the subject of a resolution under Standing Orders 14(1) or 14(2) shall stand adjourned until all other business of the meeting has been transacted whereupon the press and other members of the public shall leave the meeting and the adjourned business shall then be considered.

Procedure for dealing with matters of Urgent Business which cannot await a Committee meeting

- 15.** (1) The Chief Executive, the Monitoring Officer and each Executive Director may deal with matters of urgency which cannot await a meeting of any Committee of the Full Council, following consultation with the appropriate Chair and Deputy Chair. The other party spokespersons should be informed of matters of urgency as soon as practicable after the decision has been made.
- (2) The provisions at Standing Order 15(1) shall be suspended in the period beginning with the fourth day after the County Council Elections and ending on the date of the first Annual Meeting of the new Council. During that period, the Chief Executive may deal with matters of urgency which cannot await a meeting of any Committee of the Full Council where delay would significantly and materially prejudice the interests of the County Council or the inhabitants of the County.
- (3) The Chief Executive shall only exercise the powers at Standing Order 15(2) following consultation with the Leader (or in his/her absence, the Deputy Leader) of any political group with an overall majority, or if there is no majority political group, the Leader (or in his/her absence the Deputy Leader) of all political groups on the Council. In the event there is no Leader or Deputy Leader of any political group during that period, the Chief Executive shall consult with a representative or representatives of that group as he/she considers appropriate.

Procedure for dealing with matters of Urgent Business at meetings

- 16.** An item of business not included on an Agenda shall only be considered where, by reason of special circumstances which shall be specified in the Minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

Advice When Taking Decisions

- 17.** Decisions shall be taken only after the decision taker has considered any advice given by the any appropriate Executive Director or their nominated representatives.

Rules of Debate

- 18.** Members of a Committee may, at the discretion of the Chair, speak as often and for as long as the Chair allows.

Moving of Reports at Cabinet meetings

- 19.** (1) Any Committee member may move the recommendations contained in a report at a Cabinet meeting. In doing so, Committee members may make amendments to the published recommendations.
- (2) Amendments to published recommendations must be relevant to the subject of the report
- (3) Recommendations moved in Committees must be seconded.

Voting

- 20.** (1) Votes shall be by show of hands or by affirmation of the meeting.
- (2) Subject to Standing Order 20(3) below, any matter will be decided by a simple majority of Councillors (and Co-opted members) entitled to vote and present in the room at the time the question was put.
- (3) Any six committee members may request a named vote and shall signify their wish for a named vote by a show of hands. The names for and against and those abstaining shall then be taken down in writing and recorded in the minutes.
- (4) Immediately after a vote is taken any Committee member may request that it is recorded in the Minutes of that meeting how he/she voted, or abstained from voting,
- (5) The Chair of a meeting shall have, in case of equality of votes, a second or casting vote.

Section E - Overview and Scrutiny Procedural Standing Orders

(The following paragraphs need to be read in conjunction with Standing Orders 18 to 30 of Section C – Cabinet Standing Orders. The Procedural Standing Orders in Section D shall also apply to Overview and Scrutiny committee meetings)

Request for a Decision not Implemented to be Reconsidered

1. Each Overview and Scrutiny Committee may consider whether an executive decision made but not implemented should be reconsidered by the decision maker (known as a "Call in"), or to arrange for the Full Council to review that decision and decide whether it should be reconsidered.
2. Requests in accordance with Standing Order 1 above must be made in accordance with the following procedure:
 - (1) Unless designated as Urgent in accordance with Standing Order 29 (Section C), no decision of the Executive can be implemented until after three clear working days following the date of the Cabinet or Cabinet Committee at which the decision was made, or, in the case of decisions made by individual Cabinet members, from the date that the decision is published.
 - (2) During this period a written request for a meeting in accordance with Standing Order 1 to be called for the consideration of "Call In" can be made by any five County Councillors representing more than one single political group on the County Council. Co-opted Members cannot request a special meeting to consider "Call In".
 - (3) The request(s) must be received by Democratic Services on behalf of the Chief Executive by no later than 5.00pm on the third working day following the date of the record of the decision being published. A request submitted later than that cannot be considered.
 - (4) Requests for a special meeting must be made in writing, and signed by the councillor(s) making the request, A proforma for this purpose is available from the C-First portal. E-mail requests must be emailed to democratic.services@lancashire.gov.uk. For verification purposes, requests must come from the Councillors' county council provided email address. Any Councillor wanting to request a special Call In meeting by email must submit an individual email. Emails cannot be sent by one councillor on behalf of another councillor(s).
 - (5) The meeting of the overview and scrutiny committee must be held within seven clear working days of the request being received by Democratic Services. The date will be agreed by the Chair of the relevant overview and scrutiny committee.
 - (6) The following will be invited to attend the scrutiny meeting:
 - a. Any Councillor who requested the special meeting
 - b. Appropriate representatives of Cabinet

- c. The appropriate officers from the service subject to the proposed decision.
 - d. Any other witness the committee wishes to invite.
- (7) At the meeting, the case for the Call In will first be heard. Those requesting the Call In will be given 20 minutes to present the case, and they may, within that time, arrange for outside witnesses (such as members of the public or representatives of other organisations) to speak.
 - (8) The decision maker (or representative) if present will be invited to respond, and officers invited to clarify any issues raised. The committee will then debate the matter, questioning any of the presenters as required, and a vote will be taken whether to request the Call In.
 - (9) At the special meeting, the committee may request Full Council to review the decision and decide whether it should be reconsidered only where the original decision was contrary to the Budget and Policy Framework set by the Full Council
 - (10) If the Call in is requested, the committee must also agree the reasons on which the request is based. The decision and the grounds upon which the request is based shall be registered in writing with the Chief Executive within three clear working days of the meeting of the Overview and Scrutiny Committee.
 - (11) The Decision Maker shall reconsider the decision as soon as is reasonably practical, and publish their response in accordance with the rules for the publication of executive decisions. A copy shall be provided to the Chair of the relevant Overview and Scrutiny Committee.
 - (12) All arrangements are subject to the Council's Standing Orders.
 - (13) Once the written request described at Standing Order2(2) above has been made, the decision must not be implemented until either the overview and scrutiny committee has decided not to request a reconsideration, or until the decision taker has published a response to a request for reconsideration, with reasons.

Decision to be reconsidered once only

3. The Decision Maker can only be required to reconsider the same decision on one occasion.

Decisions not to be reconsidered

4. An Overview and Scrutiny Committee shall not exercise its functions under

Standing Order 1:

- (1) where the decision has been designated by the Decision Maker as being urgent in that any delay in its implementation could adversely affect the efficient execution of the County Council's responsibilities; or
- (2) in respect of decisions taken by officers.
- (3) where an executive decision takes the form of recommendations for final decision by the Full Council.

Party Whips

5. In any meeting of any Overview and Scrutiny Committee the Party Whip should not be applied by any political group, but if it is applied it shall be declared at the commencement of every meeting and the item or items to be the subject of the Party Whip shall be specified.

Request for matter to be considered by an Overview and Scrutiny Committee

6. If any Member of the County Council or a Co-opted Member of an Overview and Scrutiny Committee wishes to have a matter considered by an Overview and Scrutiny Committee he/she must submit the request in writing to the Chief Executive who, unless it is clear which Committee the request should be referred to, will bring the request to the attention of the next meeting of the Internal Scrutiny Committee, or in cases of urgency to the Chair of the Committee, who will then refer the matter to the appropriate Committee for consideration.