

LINCOLNSHIRE POLICE AUTHORITY

Procedural Standing Orders

Section 1 Members' Rights and Responsibilities

1.1 Members' entitlement to attend meetings

1.1.1 All members are entitled to attend meetings of the full Authority and to speak and vote.

1.1.2 Any member may attend any meeting of a committee, whether or not he or she is a member of that committee. If not a member of that committee they may speak with the permission of the Chairman, but not vote or count towards the quorum. Members that voluntarily attend meetings of Committees to which they have not been appointed may claim expenses and allowances in accordance with Section 5(c) of the Members' Allowances Scheme.

1.1.3 The Chairman and Vice Chairman of the Authority shall ex officio be entitled to attend and speak at all committees of which they are not a member, with the exception of the Standards Committee. Where they attend ex officio, they may not vote and do not count towards the quorum.

1.2 Removal from office due to non attendance

1.2.1 The Authority may remove a member from office by notice in writing if:

- a member is absent from meetings of the Authority for a period longer than three consecutive months, without the consent of the Authority, the Authority may remove that member from office by written notice. [In accordance with paragraph 19 (1) of Schedule 2 of the Police Act 1996]
- a member has been convicted of a criminal offence [but is not disqualified for being a member under paragraph 11 of Schedule 2 of the Police Act 1996]

1.2.2 Where the Authority removes a member under Standing Order (1.2) it shall give notice of the fact -

- in the case of a member appointed by a relevant Council or as a Magistrate member, to the body which appointed him or her.
- in the case of a member appointed as an Independent Member, to the Secretary of State.

1.2.3 If the Chairman of the Authority ceases to be a member, he or she shall also cease to be Chairman.

1.3 Resignation

- 1.3.1 A member may resign as a member of the Authority at any time, by notice in writing to the Chief Executive. If an Independent member resigns, he or she must also copy this notice to the Secretary of State.

1.4 Declaration of interests

- 1.4.1 Members must declare any personal or prejudicial interest(s), in accordance with the Code of Conduct. There will be a standing item at the beginning of each agenda to give members the opportunity to identify to the Chairman any items in which they intend to declare an interest. The nature and existence of a member's personal interest should be formally declared at the commencement of consideration of the relevant item. If it is not apparent that the member has an interest at that time the declaration should be made as soon as it becomes apparent.

- 1.4.2 Where a member declares a prejudicial interest, they must leave the meeting for the duration of that item.

- 1.4.3 Declarations of interest shall be recorded in the minutes of the meeting.

1.5 Inspection of documents by members

- 1.5.1 Subject to the provisions and exceptions of the Local Government (Access to Information) Act 1985 and Freedom of Information Act 2000 all members have the right to inspect reports submitted to the Authority or its committees.

- 1.5.2 A member may make, or ask to be supplied with, copies of or extracts from the documents, provided that a member shall not knowingly inspect nor ask to be supplied with a copy of any document relating to a matter in which he or she has a personal and prejudicial interest as defined in the members' code of conduct.

- 1.5.3 This standing order shall not preclude the Chief Executive from declining to allow inspection of any document, which is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.

1.6 Members' participation at full Authority and committee meetings

- 1.6.1 Members shall have regard to the efficiency and effectiveness of Authority and Committee meetings and seek to ensure that any matters they raise will contribute to the strategic role of the Authority.

- 1.6.2 A member when speaking shall address the Chairman. If two or more members wish to speak the Chairman shall call on one to speak whilst the other or others shall wait until called. While a member is speaking, the other members shall remain silent unless making a personal explanation relevant to the business under discussion or raising a point of order or information.

1.6.3 Before moving to the next agenda item, the Chairman will refer back to any recommendations and clarify the consensus of members or take a vote.

1.7 Co opted members

1.7.1 Co opted members may be appointed to committees, working groups and panels. All appointments of co opted members shall be made by the full Authority on recommendation from the relevant committee.

1.7.2 No committee, working group or panel shall have more co opted members than the number of its full membership.

1.7.3 Co opted members may be appointed at any time, but their co option will be reviewed, and renewed or otherwise, at the annual meeting of the Authority. Committees etc may recommend co options for a shorter period or for the duration of a particular project if they so wish.

1.7.4 Co opted members shall be non voting and do not count towards the quorum of the committee.

1.7.5 Co opted members will be required to abide by the Members' Code of Conduct.

Section 2 Meetings of the Full Authority

2.1 Annual meeting

2.1.1 The Authority must hold an annual meeting in March, April or May in each year.

2.1.2 The purpose of, and order of business for, this meeting, is to:

- appoint a Chairman for the period up to the next annual meeting
- appoint a Vice Chairman for the period up to the next annual meeting
- appoint the Authority's standing committees, working groups and other internal groups and their membership
- appoint the Authority's representatives to serve on other internal and external bodies

Note: A decision to amend the membership or terms of reference of a committee can only be made by a decision of the Authority.

2.2 Ordinary meetings of the full Authority

2.2.1 The Authority may in every year hold, in addition to the Annual meeting, such other meetings as it may determine. All meetings of the Authority shall be called by or through the Chief Executive.

2.3 Extraordinary meetings of the full Authority

2.3.1 The following may call an extraordinary meeting of the full Authority at any time:

- the Authority, by resolution;
- the Chairman of the Authority; and finally,
- any five members of the Authority if they have signed a requisition for such a meeting addressed to the Chairman, and he or she has refused to call the meeting or has failed to do so within 7 days of the presentation of the requisition.

2.3.2 In the absence of the Chairman, the Vice Chairman shall exercise the powers and duties of the Chairman under this Standing Order.

2.3.3 The order of business at an extraordinary meeting shall be:

- to deal with any business required by law; and
- to deal with the specific business for which the meeting has been called. No other business shall be transacted.

2.4 Vice Chairman presiding

2.4.1 If a Vice Chairman (or acting Chairman appointed under Standing Order 4.6.1) is presiding at the meeting in the absence of the Chairman, he or she may exercise any power or duty of the Chairman of the Authority.

2.5 Appointments by the Authority

2.5.1 Every candidate nominated to represent the Authority in any capacity or for any position to be filled by the Authority shall be openly proposed and seconded.

2.5.2 At the close of nominations the Chairman shall state the names of the candidates who have been duly proposed and seconded and the number of vacancies to be filled if the number is limited.

2.5.3 If the number of nominations does not exceed the number of vacancies or if the number of vacancies is not limited the Chairman shall immediately put the appointment of the duly nominated candidates collectively as a substantive motion upon which no amendment may be moved.

2.5.4 If the number of nominations exceeds the number of vacancies, each member present at the meeting may vote for as many candidates as there are vacancies to be filled. The nominee who receives the least number of votes will be removed from the list and a fresh round of voting taken, and so on until the number of nominations equals the number of vacancies - provided that if in any round of voting any nominee secures the votes of

more than 50% of the members present and voting he or she shall be declared elected.

- 2.5.6 Any ballot shall be conducted by the Chief Executive (or his/her nominated representative) whose return shall be final and conclusive.

Section 3 Meetings of Committees

3.1 General

3.1.1 The Authority may establish and determine the terms of reference of such committees, working groups, forums and panels as it considers appropriate. These bodies shall, unless otherwise determined, continue until the next annual meeting of the Authority.

3.1.2 The Authority shall have the power to call in any committee decision irrespective of the extent and terms of delegation of functions to committees.

3.1.3 The Authority may dissolve or change the membership or terms of reference of any committee established by it, as it sees fit.

3.1.4 The Authority may appoint the Chairmen and Vice Chairmen for each of its committees. In the event of this option not being exercised, each committee, at its first meeting after the annual meeting of the Authority, shall appoint a Chairman and Vice Chairman. The appointments shall be conducted in the same way as an appointment made by the Authority.

3.1.5 A committee may set up a working group or panel to deal with a particular area of work within the terms of reference of that committee. The committee will determine the membership, terms of reference and period of operation of that body. Powers delegated to working groups etc can also be exercised by the parent committee.

3.1.6 Committees shall meet for the transaction of general business on dates agreed by the Authority as part of the Authority's annual calendar.

3.1.7 Appointments to fill casual vacancies on committees shall be made by the Authority at the first opportunity.

3.1.8 All meetings shall be summoned by or through the Chief Executive, who, after consultation with the appropriate Chairman, may also convene an extraordinary or special meeting at any time.

3.2 Application of Standing Orders to committee meetings

3.2.1 Standing Orders relating to meetings of the full Authority also apply to meetings of formal committees unless specifically excluded.

Section 4 Rules relating to all meetings of the Authority and its committees

Note: All references in this section relate to the full Authority and its formally constituted committees unless otherwise specified.

4.1 Notice of meetings

4.1.1 At least five clear working days before a scheduled meeting:

- a notice of the date, time and place of the intended meeting shall be published.
- a summons to attend the meeting, specifying the date, time and place of the meeting and the business proposed to be considered, shall be sent to every member of the Authority or body in question, at an address nominated by them.

4.1.2 Provided that Standing Order 4.1.1 has been substantially complied with failure to serve a summons on any individual member of the Authority shall not affect the validity of the meeting.

4.2 Reports to Authority and committee meetings

4.2.1 All reports to meetings will be in writing. Any exceptions must comply with the Access to Information legislation.

4.2.2 At least five clear working days before a meeting, copies of the agenda together with copies of any non-confidential reports for the meeting shall be open for public inspection at the offices of the Authority during office hours. Reports that are exempt or confidential under the Access to Information legislation will not be open for public inspection.

4.2.3 Every document deemed by the Chief Executive to be exempt or confidential shall be so marked and the reason specified by reference to Schedule 12A of the Local Government Act 1972 (as amended).

4.2.4 Items of urgent business shall not be dealt with unless the Committee is satisfied that by reason of special circumstances the item should be considered as a matter of urgency. The special circumstances shall be read out by the Chair and recorded as part of the minutes of the meeting.

4.3 Venue for meetings

4.3.1 Meetings of the Authority and its committees etc will normally be held at Lincolnshire Police Headquarters.

4.4 Timing of Authority and other meetings

4.4.1 When an Authority meeting is in progress, no meetings of committees, working groups, forums or panels may take place.

4.5 Quorum

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

4.5.2 If during any meeting of the Authority the number of members present falls below five the meeting shall stand adjourned. The consideration of any business not transacted shall be adjourned to a time fixed by the Chairman at the time the meeting is adjourned, or, if he does not fix a time, to the next meeting of the Authority.

4.5.3 The quorum of every Committee shall be at least one quarter of the whole number of the Committee, provided that in no case shall a quorum of a Committee be less than three members.

4.6 Chairing meetings

4.6.1 At any meeting the Chairman shall preside, if present. In his or her absence, the Vice Chairman will preside. If both the Chairman and Vice Chairman are absent then the members present shall appoint one of their number to act as Chairman for that meeting.

4.7 Admission of press and public

4.7.1 All meetings of the Authority and its committees shall be open to the press and public, subject to (4.7.2) below. Accommodation will, as far as is practicable, be made available for them to observe the proceedings.

4.7.2 In accordance with the provisions of the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985, and the Local Government (Access to information) (Variation) Order 2006, the Authority and any of its committees may pass a resolution to exclude the press and public from all or part of a meeting if:

- publicity would be prejudicial to the public interest because the business being transacted is confidential or exempt as defined in Schedule 12A of the Local Government Act 1972 (as amended).
- the conduct of the press or the public is disorderly and is inhibiting the holding of the meeting, or is likely to be disorderly and to inhibit the holding of the meeting.

4.7.3 There is no right for anyone to record the proceedings (for instance, by way of photographs, audio recording, broadcast or video recording) without the approval of the meeting.

4.8 Questions by the Public

4.8.1 At each ordinary meeting of the Authority (but not of its committees) an opportunity will be provided for questions from any resident of the authority's police area who is present at the meeting concerning the work of the authority.

- 4.8.2 No such question shall be asked unless it shall have been put to the Chief Executive no later than 12 noon two days before the authority meeting.
- 4.8.3 The Chief Executive may reject the question if it:
- (a) is not about a matter for which the authority has a responsibility;
 - (b) is defamatory, frivolous or offensive;
 - (c) is substantially the same as a question which has been put at an authority meeting in the past twelve months; or
 - (d) requires the disclosure of confidential or exempt information.
- 4.8.4 The Chairman will reply or invite the relevant member or officer to reply to the question. At the discretion of the Chairman, a supplementary question may be asked if arising directly from the reply.
- 4.8.5 In the event of there being more than one question, the questions shall be asked in the order received. No questions shall be put more than 20 minutes after the commencement of the period allowed for questions unless the meeting otherwise agrees.
- 4.8.6 The questions put and the answers given shall be minuted.
- 4.9 Order of business
- 4.9.1 Business shall be taken in the order it appears on the agenda for the meeting unless varied by the Chairman or by resolution at the meeting.

Section 5 Conduct at meetings of the Authority and its committees

Note: All references in this section relate to the full Authority and its formally constituted committees, working groups, forums and panels, unless otherwise specified.

5.1 Record of attendance at meetings

5.1.1 The names of members who are present at meetings will be recorded in the minutes or notes of that meeting.

5.1.2 Members must ensure that they sign their name in the attendance register provided for the purpose at each meeting of the Authority and its Committees.

5.2 Minutes

5.2.1 Minutes must be kept to record all the decisions taken by meetings of the Authority and its committees, and notes kept in relation to working groups, forums and panels.

5.2.2 Minutes need not be verbatim but should summarise the proceedings and must accurately record any resolution passed.

5.2.3 Minutes must be submitted to the next following ordinary meeting (not an extraordinary or special meeting) for approval. When the minutes have been confirmed as a correct record, they must be signed by the Chairman.

5.2.4 Signed minutes must be kept available for inspection by members and members of the public during office hours for a period of not less than six years from the date of the meeting. [Local Government (Access to Information) Act 1985]

5.3 Voting

5.3.1 Voting at meetings shall be determined by a show of hands.

5.3.2 The names and votes of members shall not normally be recorded in the minutes, but any member may request that his or her vote (whether for or against the motion or amendment) or abstention be recorded.

5.3.3 In the case of an equality of votes, the Chairman of the meeting shall have a second or casting vote.

5.4 Disturbance and misconduct - members of the Authority

5.4.1 If at a meeting any member of the Authority, in the opinion of the Chairman, misconducts him or herself by persistently disregarding the ruling of the Chairman or by behaving irregularly, improperly or offensively, or wilfully obstructs the business of the meeting, the Chairman or any other member may move *'that the member be not further heard'*, and the motion, if seconded, shall be put and determined without discussion.

5.4.2 If the member named continues his or her misconduct after a motion under the above standing order has been carried, the Chairman shall either move *'that the member do leave the meeting'* (in which case the motion shall be put and determined without seconding or discussion), or adjourn the meeting for such period as the Chairman shall consider expedient.

5.4.3 In the event of a general disturbance that, in the opinion of the Chairman, renders the orderly despatch of business impossible, the Chairman, in addition to any other statutory and common law power vested in him or her, may adjourn the meeting for such period as he or she shall consider expedient.

5.5 Disturbance and misconduct - members of the public

5.5.1 If a member of the public interrupts the proceedings of any meeting, the Chairman shall warn him or her of the consequence of continuing that course of conduct and if he or she continues the interruption, the Chairman shall order his or her removal from the meeting.

5.5.2 In the case of general disturbance by members of the public in any part of the meeting room, the Chairman shall order that part occupied by persons causing the disturbance to be cleared. The Chairman, in addition to any other statutory and common law power vested in him or her, may adjourn the meeting for such period, as he or she shall consider expedient.

5.6 Adjournments

5.6.1 The Authority or its committees, etc, may adjourn a meeting to a day and/or time as it thinks fit. Unless the adjournment is to the next ordinary meeting, the business to be considered at the adjourned meeting shall be that which appeared in the summons for the meeting that was adjourned, but was not disposed of.

5.6.2 If an adjourned meeting is not reconvened within five working days of the adjournment, a summons to attend shall be sent to each member of that body. The summons shall specify the place and time of the adjourned meeting and the business to be transacted at it and it shall be signed by the Chief Executive.

5.7 Motions and amendments

5.7.1 Notice of motions, other than motions referred to in Standing Order (5.8) shall be communicated to the Chief Executive in writing and must be received not later than noon on the seventh working day before the meeting. Details of the motion shall be included with the agenda for the meeting.

5.7.2 No motion shall be put unless it relates to some question over which the Authority has power or which affects the Authority.

5.7.3 A motion or amendment shall not be discussed unless it has been proposed and seconded.

5.7.4 A member may not propose or second a motion or amendment on which he/she is disqualified from voting.

5.7.5 Any number of amendments may be taken on a motion, subject to the following rules:

- only one amendment can be dealt with at one time;
- if an amendment has been defeated, no other amendment which would have the same effect as that amendment can be proposed
- amendments must be dealt with before the motion. If an amendment is carried, the motion under debate becomes the substantive motion, as amended.
- If the amendment is voted out, the debate on the original motion can be continued.
- In the event of a tie, the Chairman has a casting vote.

5.8 Motions that may be moved without notice

5.8.1 The following motions may be moved without notice:

- appointment of a Chairman of the meeting.
- motions relating to the accuracy of the minutes of the previous meeting, the closure, postponement of consideration of any matter, adjournment of the meeting or the debate.
- motion under Section 100A(4) of the Local Government Act 1972 (as amended) to exclude the public and press on the grounds that exempt information is likely to be disclosed.
- receiving minutes, and the adoption of recommendations of committees, working groups, forums or panels.
- an amendment to a recommendation of a committee etc or report before the Authority.
- variation of the order of business.
- suspending standing orders.
- to fix the date of a future meeting.
- that a member named under standing order (5.4) be not further heard or do leave the meeting.
- Closure motion.

5.9 Rules of debate

5.9.1 The rules of debate are as follows:

- The proposer and seconder of a motion or amendment may speak in support of the motion or amendment.
- a motion or amendment shall not be discussed unless it has been proposed and seconded.
- when a motion is under debate, no other motion or amendment shall be moved except one of the motions specified in Standing Order (5.8).
- the Chairman shall control the order of debate.
- while a member is speaking, other members shall not interrupt, unless on a point of order, a point of information or in personal explanation. The Chairman's ruling on a point of order or the admissibility of a personal explanation shall not be open to discussion.
- a member shall direct his/her speech to the question under discussion, a personal explanation or a point of order or information.
- all other procedural matters shall be determined by the Chairman.

6. **General**

6.1. Canvassing of, or by, members for appointment

- 6.1.1 Canvassing of members of the Authority or staff, directly or indirectly, for any appointment under the Authority or as a police officer, shall disqualify the candidate concerned from that appointment.

6.1.2 A member of the Authority shall not solicit for any person any appointment under the Authority or as a police officer, but this shall not preclude a member from giving a written testimonial of a candidate's ability, experience or character for submission to the Authority or the Chief Constable with or in connection with an application for appointment.

6.2 Relatives of members or employees

6.2.1 A candidate for any appointment under the Authority who knows that he/she is related to any member or officer of the Authority shall, when making application, disclose the relationship. A candidate who fails to disclose such a relationship shall be disqualified for the appointment, and if appointed, shall be liable to dismissal without notice.

6.2.2 Every member and officer of the Authority shall disclose to the Chief Executive any relationship known to him to exist between himself and any person whom he /she knows is a candidate for an appointment under the Authority.

6.2.3 The Chief Executive shall report to the Authority or to the appropriate committee any such disclosure.

6.2.4 For the purpose of this standing order, persons shall be deemed to be related if they are a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding persons. 'Partner' means a member of a couple who live together.

6.3 Common Seal, sealing and signing of documents

6.3.1 The Common Seal of the Authority shall be kept in a safe place in the custody of the Chief Executive.

6.3.2 The Common Seal of the Authority shall not be affixed to any document unless the sealing has been authorised by resolution of the Authority or of a committee to which the Authority have delegated their powers. A resolution of the Authority (or of a committee where that committee has the power) authorising the taking of any action shall be sufficient authority for sealing any document necessary to give effect to the resolution.

6.3.3 The seal shall be attested by the Chief Executive or such other officer whom he or she may appoint for this purpose who is present at the sealing, and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose, and shall be initialled by the person who has attested the seal.

6.3.4 Where any document will be a necessary step in legal proceedings on behalf of the Authority, it shall be signed by the Chief Executive, or his or her appointed representative, unless any enactment otherwise requires or authorises, or the Authority gives the necessary authority to some other person for the purpose of such proceedings.

6.4 Smoking

6.4.1 Smoking is prohibited at all meetings of the Authority, its committees, working groups, forums and panels.

6.5 Mobile Phones

6.5.1 Members shall ensure that their mobile phones and pagers are switched off or otherwise silenced during all meetings.

6.6 Suspension of Standing Orders

6.6.1 In exercise of its discretion to regulate its own business the Authority may suspend its discretionary standing orders.

6.6.2 A motion to suspend Standing Orders shall not be moved unless there are at least one half of the whole number of the members (excluding co-opted members) of the Authority or a committee present.

6.7 Variation and revocation of Standing Orders

6.7.1 Any motion at a meeting of the Authority to add to the Standing Orders or to vary or revoke any of the existing Standing Orders, shall, when proposed and seconded, be referred without discussion to the next meeting of the Authority for consideration.

6.8 Interpretation of Standing Orders

6.8.1 The ruling of the Chairman of the Authority, in consultation with the Chief Executive and/or Monitoring Officer, in respect of the conduct of meetings of the Authority, and of the Chairmen of committees, etc with regard to their respective committees, (or in their absence, the persons presiding at those meetings), as to the construction or application of these Standing Orders, shall be final.

6.9 Definitions

6.9.1 In these standing orders, except where the context otherwise requires:

- 'Authority' shall mean the Lincolnshire Police Authority.
- 'Chairman' or 'Vice Chairman' shall mean the Chairman or Vice Chairman of the Authority or, as the case may be, of a committee of the Authority.
- 'Chief Executive' shall mean the Chief Executive to the Authority.

6.10 Review of Standing Orders

6.10.1 These Standing Orders will be reviewed annually by the Monitoring Officer.

6.10.2 The review will take account of any changes in the law and organisational structure during the past year, and any practical procedural difficulties that

6.11 Commencement of these Standing Orders

6.11.1 These Standing Orders came into effect on 26th October 2007 on the decision of the full Authority meeting that day. They replaced all previous Standing Orders of the Authority.