

# **STANDING ORDERS**

## **2021**

**ADOPTED 8/1/2021**



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**DÚN LAOGHAIRE-RATHDOWN COUNTY COUNCIL  
COMHAIRLE CHONTAE DHÚN LAOGHAIRE-RÁTH AN DÚIN**

**STANDING ORDERS  
ADOPTED BY COUNCIL 8<sup>th</sup> January 2021**

**PART 1 - INTERPRETATION**

**1 Interpretation**

In these Standing Orders the following expressions shall have the following meanings:

- a) **"Act"** means the Local Government Act 2001, as amended by the Local Government Reform Act 2014.
- b) **"An Cathaoirleach"** is the Member of the Council duly elected to the office at the Annual Meeting of the Council and where An Cathaoirleach is absent, reference to An Cathaoirleach shall be construed as reference to An Leas-Chathaoirleach or presiding Member.
- c) **"Chairperson"** means either An Cathaoirleach or the Chairperson of a Committee as appropriate. The provisions of the Standing Orders relating to the powers of An Cathaoirleach shall apply to the Chairperson with any necessary modifications.
- d) **"Christmas period"** means such days between the 24 December to 1 January inclusive that the principal offices are closed.
- e) **"Clear Days"** shall exclude the normal date for receipt of the notice and the date of the meeting in question and where the number of days notice does not exceed seven, be computed excluding Sundays and the Christmas period. If the number of days exceeds seven days, Sundays and the Christmas period are not to be excluded.
- f) **"Council"** means the Council of the administrative County of Dún Laoghaire-Rathdown.
- g) **"Chief Executive"** means the Chief Executive for the administrative County of Dún Laoghaire-Rathdown or in his/her absence a duly appointed deputy.
- h) **"Excluded Day"** means a day which is Saturday, Sunday or Public Holiday (within the meaning given by the Organisation of Working Time Act, 1997) or any other day on which the principle offices of the Council are closed.
- i) **"Executive Function"** is a function only exercisable by the Chief Executive.
- j) **"Meetings Administrator"** means the person/persons duly appointed by the Chief Executive in accordance with the Local Government Act 2001 – 2014 (Section 46).
- k) **"Member"** means a person elected or chosen to the office of Councillor of the County of Dún Laoghaire-Rathdown.
- l) **"Month"** means a calendar month.
- m) **"Motion"** is a formal proposal put for discussion and to vote on after a debate.
- n) **"Question"** means a formal question in writing to the Chief Executive under Standing Order 13.

- o) **“Reserved Function”** is a function only exercised by elected Members.
- p) **“Resolution”** is a formal decision in relation to the exercise of a reserved function by the Council.
- q) **“Point of Order”** refers to a brief interjection to An Cathaoirleach during a meeting by a Member, who does not have the floor, to call the attention of the Chair to an alleged violation or breach of the meetings Standing Orders

## **PART 2 – HOLDING OF MEETINGS OF THE COUNCIL**

### **2 Monthly Meetings**

The Council shall meet on the second Monday of the month and area committee meetings shall be held on the first and fourth Monday of the month. Where a meeting is due to be held on a Monday but that day is an excluded day, the meeting shall be held on the next Wednesday.

### **3 Annual Meeting**

- a) In every year in which a local election is held the Annual Meeting shall be held on the fourteenth day after the polling day or, where the poll is for any reason countermanded, interrupted or adjourned, after the day on which the poll is completed or the fresh poll is held. Where the fourteenth day is an excluded day the meeting shall be held on the next following day, which is not an excluded day.
- b) In every other year the Annual Meeting shall be on such day within the period 14 days either side of the anniversary of the first Annual Meeting as may be determined by the Council.
- c) Whenever an Annual Meeting is for any reason not held on the appointed day the Meetings Administrator shall, following consultation with An Cathaoirleach, or if the office of Cathaoirleach is vacant or he / she is unable to act, with An Leas-Chathaoirleach, convene a meeting for a day which the Meetings Administrator considers to be the earliest convenient date for that purpose.
- d) In an election year the Council shall publish a notice of its Annual Meeting in at least one newspaper circulating in its administrative area. The notice shall state the date of the Annual Meeting and where appropriate that the first business of the meeting will be the election of An Cathaoirleach, and specify the joint bodies and other bodies to which the Council is entitled to make appointments at that meeting or subsequently. The notice shall be in a form and published within the period prescribed by regulations.
- e) In the case of an Annual Meeting in an election year and until the election of An Cathaoirleach at such meeting, a Member (or an employee selected by the meeting for this purpose) shall take the Chair for this period. Any Member selected to chair an Annual Meeting under this subparagraph shall not have a second or casting vote and any employee of the Council if so selected in accordance with this subparagraph shall not have any vote.
- f) At an Annual Meeting in an election year the Meetings Administrator shall read out the names of persons duly elected as Members of the Council. Subject to this the election of An Cathaoirleach is to be the first business of an Annual Meeting and the next business, the election of An Leas-Chathaoirleach.

- g) The business to be transacted after the election of An Cathaoirleach and An Leas-Chathaoirleach shall include the consideration of the election, appointment or nomination of Members of joint bodies or other bodies elected.

#### **4 Budget Meeting**

The Budget Meeting shall be held during the period prescribed by regulations for that purpose.

#### **5 Special Meeting**

- a) An Cathaoirleach may convene a Special Meeting of the Council at any time
- b) An Cathaoirleach may convene a Special Meeting on foot of a request in writing presented to him/her by any five Members.
- c) Where An Cathaoirleach refuses or neglects to act on foot of such a request within seven days of it being presented in breach of paragraph (b), the Members making the request may convene a meeting in accordance with paragraph 6 of Schedule 10 of the Act.

#### **6 Time and Place of Meetings**

- a) Council meetings shall begin at 5 p.m. or at such hour as may from time to time be fixed by resolution of the Council or An Cathaoirleach.
- b) Council meetings shall end at 8 p.m., unless –
- (i) the agenda is completed earlier.
  - (ii) the meeting is extended by agreement of the majority of the Members present at the time at which a proposal to extend the meeting is decided upon, being a time not later than 15 minutes prior to the end of the meeting.
  - (iii) the meeting is adjourned before that time pursuant to Standing Order 17.

However An Cathaoirleach shall, unless a majority of the Council decide otherwise, permit any agenda item in hand at 8 p.m. to be pursued to a conclusion and may then dispose of any items that can be dealt with without debate, before concluding the meeting.

- c) Business undisposed of at the end of a meeting shall be deemed to be re-entered for the next meeting, save that the Chief Executive may withdraw any business submitted by him or her up to the circulation of the agenda for the next monthly meeting.
- d) The default position for the holding of Council Meetings is physical meetings in the Council's principal offices.
- e) Given the designation provided for under the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020, Dún Laoghaire Rathdown County Council meetings shall normally take place at the Council's principal offices unless otherwise decided by a 2/3 majority of the Members.

The meetings of the Council may now be held at

- The Council Chamber, County Hall, Marine Road, Dún Laoghaire, County Dublin
- Ferry Terminal, Dun Laoghaire Harbour
- Dundrum Local Area Office
- An external venue used to accommodate meetings of the council
- One or more Council buildings or rooms, linked remotely
- An electronic, digital or virtual location, web address or a conference call telephone number

- A combination of the above to provide for physical and/or remote attendance by elected members.
- f) Where it is necessary for a Member to attend a physical Council Meeting remotely, during the pandemic, the 2/3 majority, as set out under 6 (e) is not required for such attendance. The Member should notify the Meetings Administrator of their remote attendance in advance of the meeting.

## **7 Notice of Meetings**

- a) A notification to attend a meeting, shall be sent or delivered to each Member of the Council, electronically or otherwise, shall specify the place, date and time of the meeting, and except in the case of a budget meeting give not less than 3 clear days notice.
- b) A notification shall include or be accompanied by an Agenda listing the business to be transacted at the meeting. Except where expressly permitted by these standing orders no business shall be transacted at a meeting other than that specified in the Agenda.
- c) An Agenda which has been sent or delivered for this purpose may be altered (whether by way of addition, deletion or otherwise) if an Agenda specifying the alteration is delivered or sent to each Member. Except in the case of a budget meeting, the amended agenda must be sent not less than 3 clear days before the day on which the meeting is to be held.
- d) In the case of a Special Meeting convened by requisition of 5 Members a copy of the requisition shall be sent with the notification.
- e) A notification shall have the signature of the Meetings Administrator and any document claiming to have that signature shall be deemed, until the contrary is proved, to have been duly issued or given with the authority of the Council.
- f) Want of service or non-receipt of a notification by any Member or lack of a signature or any other defect in the notification does not affect the validity of a meeting or of any act or thing done at the meeting.
- g) Public notice of the place, date and time of a meeting other than a Council budget meeting shall be displayed not less than 3 clear days before the day of the meeting in or at the principal offices of the Council in a position convenient for public inspection during normal office hours. The Notice shall include the Agenda for the meeting or specify a place where the Agenda can be inspected and, in the case of a meeting requisitioned by 5 Members, the Agenda shall include or be accompanied by a copy of the requisition.
- h) The Council shall supply a copy of a public notice and agenda to such representatives of the media as it considers appropriate. Failure to do so does not affect validity of a meeting.
- i) In any consideration of the Review of the Development Plan, all variations suggested by the Chief Executive or the Members shall be specifically listed on the Agenda for the relevant meeting, as headed items or motions as appropriate and in such way as clearly to identify the area or purpose involved without prejudice to the right of a Member to submit business without notice.

## PART 3 – PROCEDURE AT MEETINGS OF THE COUNCIL

### 8 Validity of Meetings

A meeting to be valid must be;-

- (a) properly convened after proper notice
- (b) properly constituted, that is, with properly appointed person as the Chairperson, with a **quorum** present and held in accordance with Standing Orders, Articles or Regulations governing its Constitution.

### 9 Chairing of Meetings

The Chair shall be taken by An Cathaoirleach at a meeting of the Council within 15 minutes after the time appointed for such meeting or in his/her absence by An Leas-Chathaoirleach or otherwise by a Member called thereto by general agreement or chosen by vote of the Members present to chair the meeting and such Member shall leave the chair on the arrival at the meeting of An Cathaoirleach or An Leas-Chathaoirleach.

### 10. Electronic Voting

Voting may be by Electronic Voting and recorded electronically on the Electronic Voting System. If recorded electronically, the result shall be declared immediately upon completion of the vote and the details to be retained and released upon request.

Members must sit in their designated seat for the purposes of voting.

Members shall press the **Green** button marked "**Tá**" to indicate that they are in favour of the Motion; and shall press the **Red** button marked "**Níl**" to indicate that they are against the Motion; and in the case of abstention, shall press the **Yellow** button marked "**Stáon**".

### 11 Voting

Subject to any statutory provision requiring the recording of the names of Members voting for or against a motion, voting may be:-

Electronic Voting System.

By voice when it is obvious that the meeting is practically unanimous, and no Member dissenting.

By show of hands. If any objections as to the correctness of the result are made, a poll may be demanded.

By ballot or roll call (roll call vote can be requested by any Member provided it has been proposed and seconded).



## 12 Quorum

- a) Every Member attending a meeting of the Council shall sign his/her name on the attendance sheet provided for the purpose and such book shall be the official record of such attendance. This attendance book may be amended at the discretion of the Meetings Administrator, including with regard to remote meeting attendance.
- b) The **quorum** shall be one-fourth of the total number of members of the local authority plus one or, where one-fourth of such total number is not a whole number, the **quorum** is the next highest whole number plus one [**11 members**].
- c) If a **quorum** is not present within 30 minutes after a time fixed for the meeting or within 5 minutes of the attention of An Cathaoirleach being drawn to the absence of a **quorum** during a meeting at any time during the meeting, the meeting shall stand adjourned to a date to be named by An Cathaoirleach and the business shall stand postponed to the next meeting.
- d) The Meetings Administrator shall record, whenever a meeting of the Council is abandoned owing to failure to obtain a **quorum**, the names of those present at the time and place appointed for such meeting and they shall for all purposes be deemed to have attended a duly constituted meeting.

## 13 Order of Business

- 1) The functions of meetings of the Council shall be comprised of reserved functions and policy matters affecting the whole county. The order of business at all meetings (subject to any necessary modifications in the case of annual meetings) shall be:
  - Part 1 – Initial Business
    - i. Announcement by An Cathaoirleach regarding webcasting of meeting. At the commencement of each meeting which is to be webcast in whole or part, An Cathaoirleach shall announce that the meeting may be filmed for live or subsequent broadcast via the Council’s website. The front page of the published agenda shall inform those affected that the Council is subject to the Freedom of Information Act 2014 and the Data Protection Act 1988 - 2003 and data collected during this webcast will be retained in accordance with the legislation. Therefore by entering the Council Chamber persons present are consenting to being filmed and to the possible use of those images and sound recordings for webcasting.
    - ii. Motions under Section 140 of the Local Government Act 2001 as amended by Section 52 of the Local Government Reform Act 2014 if any
    - iii. Motions under Section 34 of the Planning and Development Act 2000 if any
    - iv. Confirmation of minutes.
    - v. Noting of Questions in accordance with Standing Order 13(c).
    - vi. Chief Executive to confirm all Chief Executive’s Orders which are required to be tabled, under Section 151(4) of the Act, are in the Chamber.
  - Part 2 – Business for decision submitted by the Chief Executive.
  - Part 3 - Business for noting submitted by the Chief Executive which is either subject to a statutory deadline or is, in the opinion of the Meetings Administrator, of

an urgent nature.

- Part 4 – Business submitted by An Cathaoirleach which shall be limited to not more than three motions but without prejudice to his or her right as a Member to submit questions and motions in the ordinary way.
  - Part 5 – All other Business for noting submitted by the Chief Executive.
  - Part 6 – Reports from Chairpersons of Strategic Policy Committees
  - Part 7 - Motions submitted by Members.
- 2) A member may contribute on an item for noting for a period but the speech of any member shall not exceed 1 minute.
  - 3) Where business is statutory, the heading of the item on the agenda shall specify the statute and section under which the business is to be transacted.

#### **14 Minutes**

- a) The Meetings Administrator shall draw up the minutes of the proceedings of a Council Meeting. The Minutes shall include –
  - (i) The date, place and time of the meeting,
  - (ii) The names of the Members present at the meeting, those who have conveyed their apologies to the Meetings Administrator prior to the time that the meeting is scheduled to conclude and those who are absent.
  - (iii) The names of the senior employees of the Council present at the meeting,
  - (iv) Reference to any report submitted to the Members at the meeting,
  - (v) Where there is a roll call vote, the number and names of Members voting for and against the motion and of those abstaining,
  - (vi) Particulars of all resolutions passed at the meeting,
  - (vii) Such other matters considered appropriate.
- b) A copy of the minutes of a meeting shall be sent or given by the Meetings Administrator to each Member of the Council, at least three days before the Council meeting, after which such minutes shall be taken as read.
- c) Minutes of a meeting shall be submitted for confirmation as an accurate record at the next following ordinary meeting, where practicable, or, where not, at the next following meeting and recorded in the minutes of that meeting.
- d) When the minutes are confirmed with or without amendment, the Chairperson of the meeting, to whom they were submitted, shall sign the minutes of a meeting, for confirmation and any minutes claiming to be so signed shall be received in evidence without proof.
- e) When the question that they be confirmed is put by the Chairperson, a Member may object to any part thereof as not being an accurate record and upon a motion any question of altering the record shall be determined by the Council by majority vote of those Members who were present at the appropriate meeting; provided that no entry shall be made in the Minutes of any protest other than a record of dissent, save in the form of a motion or an amendment.

- f) A copy of the minutes when confirmed in accordance with this Standing Order shall be open to inspection at the principal offices of the Council and any person may inspect and make a copy of, or abstract from, the minutes during the usual office hours of the Council.
- g) A copy of the minutes shall be provided to any person applying for them on payment of such reasonable sum, being a sum not exceeding the reasonable cost of supplying the copy, as may be fixed by the Council.
- h) Any discussion of the Minutes except as to their accuracy is out of order, and An Cathaoirleach shall rule accordingly. Questions are only permissible on matters arising out of the Minutes, for information and not for discussion. If it is considered that a minute does not accurately reflect a decision taken at the meeting, the Council can refer that item back, as a headed item, to the relevant Committee for consideration. A point of clarification in relation to Area Committee minutes can be raised at the Council meeting prior to adoption.

## **15 Questions**

- a) The Agenda Paper for Council Meetings shall contain not more than five questions from any one Member. The latest time for submission of questions for inclusion on the Agenda for meetings of the Council or its Committees shall be 10 a.m. on the ninth clear working day before the date of the meeting.
- b) Members may submit to the Meetings Administrator written questions to the Chief Executive relating to the business of the Council or the executive functions of the Chief Executive.
- c) Before being formally put and answered, questions must be noted by the Council on motion without debate. This shall not preclude a Member from referring to information supplied in response to the question during a contribution the Member makes to another item of business, provided that the information supplied is properly relevant to that other item.
- d) Questions should not involve argument or contain any matters except as are strictly necessary to explain such questions.
- e) Questions must relate to a specific subject or aspect of a service and if applicable to a locality, must be confined to a single instance or application, and must not be omnibus. Supplementary questions are not allowed.
- f) Any questions which in the opinion of the Meetings Administrator are unreasonable, unsuitable in form, frivolous, or derogatory to the dignity of the Council may be disallowed by the Meetings Administrator.
- g) A question that has been fully answered may not be renewed, and in answering a question the matter to which it refers is not to be debated. With the consent of An Cathaoirleach, urgent and important questions may be put without notice in exceptional circumstances if the information required is readily available.

## **16 Nominations**

- (a) In making any appointment within the competence of the Council, the Council shall subject to the Act vote as follows:
  - (i) If the number of nominees duly proposed and seconded is equal to or less than the number of appointments to be made, it shall be declared that the nominees are appointed.
  - (ii) If the number of nominees duly proposed and seconded is greater than the number of appointments to be made, An Cathaoirleach shall call for a roll call vote of Members. Upon such vote each Member may state the names of the nominees he or she wishes to vote for, the number of such names to be stated by a Member not exceeding the number of vacancies.
  - (iii) Nominees securing the greatest number of votes shall then be declared as appointed in order until the number of vacancies has been filled.
  - (iv) In the event that as a result of a round of voting under this paragraph one or more nominees is elected and there is a tie between two or more other nominees for one or more remaining vacancies, there shall be a further round of voting as necessary, on the basis set out in sub-paragraph (ii) above, between the tied nominees for the remaining vacancy or vacancies, and so on until such remaining vacancy or vacancies have been filled.
  - (v) In the event that as a result of a round of voting under this paragraph no nominee is elected and there is a tie between two or more other nominees for one or more remaining vacancies, An Cathaoirleach shall have a casting vote which may be exercised, in any one round of voting, in favour of one candidate only. Should An Cathaoirleach following such ballot not exercise his or her casting vote the person(s) to be appointed shall be determined by lot.
- b) Notwithstanding anything contained above, the provisions of paragraph 18 of Schedule 10 of the Act and the requirements of any other enactment will apply to appointments.

## **17 Conduct at Meetings**

- a) No Member shall address the Chairperson, unless from one of the seats reserved to the use of Members. A Member while speaking shall stand, unless permitted to remain seated, and address himself/herself to the Chairperson. A Member speaking is not to be interrupted, except on a question of order but he/she shall give way to a Member desiring to make a personal explanation with the consent of An Cathaoirleach. A Member who speaks shall confine his/her speech strictly to the matter under discussion, or to a personal explanation, or to a point of order.
- b) Members shall address and speak to each other during meetings by the respective titles of "Cathaoirleach" or "Councillor".
- c) No Councillor may impute improper motives or use offensive or unbecoming words in reference to any Member or member of staff. Any Councillor having used objectionable words and not retracting the same or offering apologies for the use thereof when requested by An Cathaoirleach to do so, shall be called upon by An Cathaoirleach to withdraw from the meeting.
- d) Whenever An Cathaoirleach shall call any Member to order, the Member so called shall immediately resume his/her seat and shall not again address the Council until An Cathaoirleach shall have disposed of the question of order.
- e) An Cathaoirleach shall call a Member to order for irrelevance, repetition, unbecoming language, imputations of motives, reflections of a personal character upon another

Member or member of staff or any breach of order, and may direct such Member, if speaking, to discontinue his/her speech.

- f) If in the opinion of the Chairperson any Member has been or is disorderly by persistently disregarding the ruling of the Chairperson, or by behaving irregularly, improperly or offensively or by otherwise obstructing the business of the meeting, and the Chairperson has conveyed his or her opinion to the Members present by naming the Member concerned, then the Chairperson or any Member may move "that the Member named leave the meeting" and the motion, if seconded, shall be put and determined without debate.
- g) Where the Council decides that a Member leave a meeting, that Member shall immediately leave the meeting and shall not be entitled to speak or to take any further part in that meeting on that day.
- h) Where in the opinion of the Chairperson there is general disorder which impedes the orderly transaction of business or where a Member against whom it was resolved that he or she leave the meeting refuses to do so, the Chairperson may adjourn the meeting for such period as he or she considers necessary in the interests of order.
- i) Where at a meeting it has been resolved that a member leave a meeting and the Chairperson adjourns the meeting because the member refuses to leave, and it has been resolved by further resolution that the member was the cause of the meeting being so adjourned, and where, following the chair expressing the further opinion that the member has continued to be disorderly by disregarding the ruling of the chair, or by behaving irregularly, improperly or offensively, or by otherwise obstructing the business of the meeting and the chair has conveyed such further opinion to the members present by naming the member concerned, it may be resolved further by at least two-thirds of those present and voting, on a motion moved by the chair or any member (which motion, if seconded, shall have been put and determined without discussion) that for a specified period 'the member stand suspended with immediate effect from all meetings of the local authority and any committee of the local authority, and all meetings of municipal district members' and the period so specified is, subject to clause (c), for at least one month but does not exceed 3 months.
- j) The members may at a subsequent meeting during the period specified in the resolution under Standing Order 15(i) pass a further resolution lifting the suspension, and the suspension shall be lifted with immediate effect.
- k) If, within a period of 3 months following the ending of a suspension in accordance with Standing Order 15(i) or (j), further resolutions to which Standing Order 15(i) relates are proposed to be adopted in respect of that member, then the period provided for in a resolution shall be at least 3 months but shall not exceed 6 months.
- l) The chief executive, following consultation with the Cathaoirleach, may make such provision for the exclusion or, where necessary, the removal from any meeting of the local authority or any committee of the local authority, of the member suspended in accordance with Standing Order 15 as appear necessary to the chief executive.
- m)
  - (i) Members are requested to be in attendance on time for meetings, insofar as their circumstances allow them.
  - (ii) Members and staff should ensure that mobile phones are turned to silent in the Chamber at all times during meetings.

- (iii) Members and staff are requested not to talk to the press or public while the meeting is in progress. Members should show respect for other Members whilst they are speaking. A member may talk to another member in connection with the business of the meeting, in an undertone, while a member or official is speaking. If the overall level of noise in the chamber is such as to disrupt business, An Cathaoirleach shall request members to reduce the noise level but without reference to any individual Councillor who is complying with this standing order.
  - (iv) Members and staff are requested to use both doors for entering the Chamber and not to cross in front of An Cathaoirleach.
  - (v) Members and staff are requested to use the microphones when addressing the Chairperson.
  - (vi) In order to ensure accuracy of Minutes of Meetings, An Cathaoirleach should allow sufficient time before the end of the meeting for Councillors wishing to move motions without debate.
- n) When during a debate, An Cathaoirleach rises, any Member then standing shall resume his/her seat, and no Member shall rise until An Cathaoirleach is seated.
  - o) A Member speaking shall not be interrupted except upon a question of order, but may give way to a Member desiring to make a personal explanation.
  - p) When a Member seeks to make a point of order, the Member then addressing the Chairperson shall give way until the Chairperson has determined the question of order, unless the former seeks to address the Chairperson upon the question of order.

## **18 Public/Press Access to Meetings**

- a) The right of the public and representatives of the media to attend Council meetings is subject to the provision that where the Council is of the opinion that the absence of members of the public and representatives of the media from the whole or part of a particular meeting is desirable because of the special nature of the meeting, or of an item of business to be or about to be considered at the meeting, or for other special reasons, the Council may, by resolution in respect of which, at least half of the total Membership of the Council [**20 members**] vote in favour, decide to meet in committee for the whole or part of the meeting concerned. The resolution in this instance shall indicate in a general way the reasons for the resolution and those reasons shall be recorded in the minutes of the meeting. In such circumstances, webcasting of the meeting will be suspended for so long as the meeting is held in committee.
- b) Members of the public and representatives of the media will occupy the parts of the Meeting Room allotted to their use. Members of the public shall be admitted only upon production of a visitor's ticket issued by Members. Every Member is entitled to issue a visitor's ticket for the admission of one member of the public to any meeting of the Council at which the public are permitted to be present. A visitor's ticket shall be sent to each Member together with the notice of each meeting. After 15 minutes has elapsed after the hour for which any Council meeting is convened, and accommodation for the members of the public is not fully occupied, further members of the public not exceeding the number for which accommodation is available, may be admitted upon the issue of visitor's tickets from the Members.

- c) Members of the public shall be seated and maintain silence and observe any directions given by the Chairperson or by any employee in attendance upon the Council. Such employees are responsible for the execution of all measures necessary for the maintenance of order and decorum in and about the Chamber.
- d) If a member of the public interrupts a meeting at any time or endeavours, without the permission of the Council, to address a Meeting, the Chairperson shall warn him or her and if the interruption continues shall order that person's removal.
- e) In the case of a general disturbance in any part of the Meeting Room open to the public, the Chairperson shall order that part to be cleared. In the case of a disturbance in any other area of County Hall that is used by the public to view a broadcast of, or otherwise in connection with, a meeting, the Chief Executive or a member of staff on his or her behalf may require the removal of the person causing the disturbance or, in the case of a general disturbance, clear the area concerned.
- f) No Cameras of any kind or sound recording equipment may be used at meetings of the Council without the prior approval of the Council. Members of the press and public are free to take written notes.
- g) Mobile phones must be kept on silent at all meetings of the Council.

## **19 Adjournment of Council**

- a) A motion for adjournment of the Council meeting may be made at any time with the agreement of the majority of the Members. It shall be determined without amendment and without debate, except that the mover of the motion of adjournment and the mover of the motion immediately affected by it, may each address the Council for not more than five minutes on the question of the adjournment. If the motion for adjournment is adopted, the meeting will stand adjourned to a day then named or in the event of no such date being named, to the next occurring ordinary meeting.
- b) A Special Meeting may be adjourned from time to time until its business is concluded.

## **PART 4 – MOTIONS AND AMENDMENTS**

### **20 Scope**

This Part applies to motions and amendments submitted for meetings of the Council or any Committee other than Strategic Policy Committees. Reference to An Cathaoirleach includes, where An Leas-Chathaoirleach or another Member is presiding, that presiding Member. In its application to Committees, references to An Cathaoirleach shall be read as references to the Chairperson or presiding Member at the meeting in question of the Committee concerned.

### **21 Submission of Motions on Notice**

- a) A Member may submit a motion on notice by delivering it to the Meetings Administrator electronically, or, if in writing, signed by the Member, prior to the closing date relating to the business of the Council or the executive functions of the Chief Executive. The latest time for submission of motions for inclusion on the Agenda for meetings of the Council or its Committees shall be 10 a.m. on the ninth clear working day before the date of the meeting.

- b) The Agenda Paper shall contain not more than three Notices of Motion from any one Member, including an adjourned motion. This shall not apply to a Council Meeting insofar as it deals with formal consideration of a Draft Development Plan, a variation of the Development Plan, or with formal consideration of a Local Area Plan, Urban Framework Plan, Strategic Development Zone or similar instrument or an amendment to such an instrument.
- c) Motions on notice received in accordance with paragraph (a) shall be listed on the Agenda in order of their receipt, provided that a second motion by the same Member shall not be listed until every first motion by every other Member has first been listed, and likewise for third motions.
- d) Composite motions (motions which contain a number of issues) submitted on notice shall be divided by the Meetings Administrator and each matter listed shall count as a separate motion.
- e) Any motions which in the opinion of the Meetings Administrator are unreasonable, unsuitable in form, frivolous, or derogatory to the dignity of the Council may be disallowed by the Meetings Administrator.
- f) If any Notice of Motion of which notice has been duly given relates to a matter normally dealt with by a Committee or comes within the terms of reference of any Committee or Committees, it shall be referred to such Committee or Committees as the Meetings Administrator may determine.
- g) Motions submitted by members shall be listed on the Council Agenda with the date of the meeting at which the motion first appeared on the Agenda listed in square brackets after the text of the motion.

## **22 Submission of Motions Without Notice**

A Member may submit the following motions without notice

- (A) Motions that require to be submitted in writing duly signed to the Cathaoirleach:
  - a) on any Question for the raising of which no other means are available and in respect of which the conduct or honour of a Member of the Council in his or her relations with the Council is involved. Any such motion shall take the form of a reference to the appropriate Committee for inquiry and report. No Amendment shall be allowed. The mover of any such motion may speak for not more than three minutes. The seconder shall not speak beyond formally seconding; and one other Member to be nominated by An Cathaoirleach may be heard in reply, but no further debate shall be allowed.
  - b) on matters expressly required by Statute to be done at the meeting;
  - c) on matters arising directly out of a report presented at the meeting;
  - d) for, or on, the appointment of a Committee to which business specified is to be referred;



- e) for the suspension of a Standing Order or of Standing Orders in respect of any specified rule or rules (such motion to be decided without debate save in the discretion of An Cathaoirleach);
- f) for the appointment of a Member to preside thereat, An Cathaoirleach and An Leas-Chathaoirleach being absent;
- g) for the adoption, amendment or referring back of any report;
- h) for the purpose of dealing with urgent business related to a function of the local authority. The application for leave to introduce the motion shall be decided upon without debate save in the discretion of An Cathaoirleach. Leave to propose the motion shall be granted if there is no objection to the motion, or, where there is an objection, if not less than half of the total Membership of the Council [**20 members**] vote in favour of granting leave. If the application for leave is carried, the motion may then be proposed and debated as if due notice of it had been given.
- i) at a meeting held to consider representations made under Section 13 of the Planning and Development Act 2000, or to make the proposed variation of the Development Plan in accordance with the provisions of Section 13 of the Planning and Development Act 2000, motions to make such proposed variation with or without amendments (including motions for a specific amendment or amendments) as provided for in Section 13 of the Planning and Development Act 2000 may be made without notice at such meeting.

(B) Motions that may be moved verbally without the necessity for submission in writing:

- a) for the resolution of the Council into a Committee of the whole Council;
- b) for a variation of the order of business (such motion to be decided without debate save in the discretion of An Cathaoirleach);
- c) for the adjournment of the meeting;
- d) for the adoption or referring back of any report;
- e) relating to business of a formal or unimportant character, provided no Member present objects;
- f) relating to any business provided all the Members are present and no one objects to the informality; want of notice in this case can be excused and the proceedings are valid;
- g) for referring business to a Committee for inquiry action and/or report.

## **23 Ruling on Validity of Motions**

An Cathaoirleach may rule a motion out of order if:

- a) it relates to a matter normally dealt with by a Committee or comes within the terms of reference of any Committee (in which case An Cathaoirleach shall refer the motion to such Committee).
- b) it is not relevant to some question which affects, or may affect, the services of the Council, the administration of the County or the interests of the people of the County.

- c) it does not refer to a single particular subject only
- d) it refers to a variety of services affecting a single area.
- (e) it is not duly moved by the proposing Member or by another Member authorised to move it by the proposing Member. In such a case the Minutes shall record that the motion falls.
- f) it is not duly seconded at the meeting. In such a case the Minutes shall record that the motion falls.
- g) the motion would have the effect of revoking or amending a resolution of the Council passed at the same meeting, or (unless a minimum of half of the total Membership of the Council [**20 members**] furnish their written assent) within the previous 6 months.
- h) motions do not relate to a specific subject or aspect of a service and if applicable to a locality, are not confined to a single instance or application, and are omnibus. Supplementary motions are not allowed.

#### **24 Submission of Amendments**

A Member may submit an amendment to a motion without notice by delivering a copy of the amendment or amended motion, duly seconded and signed by both Members to An Cathaoirleach. An amendment may omit certain words; omit certain words and insert or add others, and/or insert certain words.

#### **25 Ruling on Validity of Amendments**

An Cathaoirleach may rule an amendment out of order if:

- a) it extends the motion by introducing new material which, if included in the original motion, would have rendered the motion out of order under Standing Order 21.
- b) it is not duly moved by the proposing Member, or by another Member authorised to move it by the proposing Member.
- c) it is not duly seconded and signed by both Members at the meeting.
- d) it is not relevant to the motion.
- e) it involves such substantial alteration of the motion as to make it a new motion.
- f) it commits the Meeting to anything more onerous than the motion.
- g) it is merely negative (such that voting against the motion can attain the same result).
- h) the Member has already moved an amendment to the same motion (but this paragraph shall not apply to any debate on the Development Plan or a draft Development Plan).
- i) the amendment would reverse the effect of an amendment already made to the same motion.
- j) the Amendment is substantially the same as an Amendment to the same motion already lost.

- k) the amendment is inconsistent with an amendment to the same motion that has already been passed.

## **26 Debate on Motions and Amendments**

- a) The following procedure is to be adopted in relation to debate on motions (other than motions to be taken without debate):
  - (i) The Chairperson shall ascertain that a motion is seconded before the proposer is permitted to speak to it.
  - (ii) Motion is proposed and seconded.
  - (iii) Report of Chief Executive read and/or considered.
  - (iv) Any amendments proposed and seconded.
  - (v) Motion and amendments debated together.
  - (vi) Response of Chief Executive to Members questions and issues raised in discussion.
  - (vii) The proposer of any amendment may be afforded a right to reply.
  - (viii) The proposer of the original Motion may reply, and in his or her reply accept the Chief Executive's report and agree that the Motion not be put. In this event the motion and any amendments to it will fall and the Chief Executive's report will be deemed to be noted. When the proposer replies the debate on the motion is closed. The proposer shall confine himself/herself to answering previous speakers only and shall not introduce any new matter into the debate. After the reply the question shall be put to the Council.
  - (ix) Decision on amendments and motion in accordance with Standing Order No. 25.
- b) Where pursuant to these Standing Orders, a motion or other matter is to be taken without debate, This shall not prevent the Chief Executive from briefly giving Members any necessary information prior to the motion or matter being put.
- c) Where An Cathaoirleach has discretion as to whether to allow a debate on any particular matter, he or she may decide that the debate shall be conducted within a particular time limit or in a particular manner.
- d) A Member who has proposed a motion or amendment may only withdraw it with the permission of a majority of the Council.
- e) Where at a meeting of the Council, a motion is called by the Cathaoirleach, and the proposer (or some member authorised by him or her for the purpose) requests that instead of being moved and decided at the meeting, the motion be re-entered for the following meeting, the minutes shall record that the motion is to be re-entered for the following meeting, but the motion shall be listed on the agenda for that meeting and any subsequent meetings at the end of all motions that were listed for, but not reached at, the first-mentioned meeting, notwithstanding Standing Order 19(c).

This paragraph does not apply to a motion that is re-entered because a Member has given apologies in advance of the meeting.

- f) The proposer of a motion shall be allowed to speak to the motion for not more than three minutes and for a further two minutes in reply to the debate; the speech of any other contributor shall not exceed two minutes. On matters of exceptional importance, An Cathaoirleach may consent to the continuation of a speech for an additional two minutes. Any further extension shall require the special consent of the Council and shall be for a definite period. Such special consent shall be signified without debate by motion put and carried. No amendments shall be allowed.

- g) A Member may speak once upon any motion, except a motion which is to be put without debate.
- h) A Member shall not be deemed to have spoken if he/she has formally seconded a motion or an amendment, and he/she shall be permitted to speak on it afterwards.
- i) A Member may speak more than once on the same motion or amendment for the purpose only of submitting a point of order or making a personal explanation. The Chairperson's decision in determining a point of order or personal explanation shall be final.
- j) When an amendment is moved, a Member who has spoken to the original motion may speak to the amendment.
- k) When the motion has been duly moved and seconded, the discussion may be interrupted by some or all of the following motions, which shall be decided upon before dealing with the business to which they relate:-
  - (A) Motions that require to be submitted in writing duly signed to the Cathaoirleach:
    - (i) To amend the motion (amendments);
  - (B) Motions that may be moved verbally without the necessity for submission in writing:
    - (ii) To move that the meeting move to the next business. When this is proposed and seconded a vote must be taken without debate. Where this motion is carried the item in question is deemed to be adjourned to the following meeting as a re-entered item. If lost, a similar motion concerning the same subject of debate cannot be moved until 15 minutes have elapsed;
    - (iii) To move the closure. After a debate has continued for not less than 20 minutes a Member may ask leave to move "That the question be now put" and if such leave be given by the assent of An Cathaoirleach, the motion shall be put without debate save in the discretion of An Cathaoirleach and if carried, any question or questions then before the Chairperson, shall be put to the Council;
    - (iv) To postpone consideration of the question sine die or to a fixed date (such motion to be decided without debate save in the discretion of An Cathaoirleach);
    - (v) To adjourn the subject under discussion, to a later hour or to a further meeting (such motion to be decided without debate save in the discretion of An Cathaoirleach);
    - (vi) To refer the business to a Committee for inquiry, action and/or report.
- l) There is no right of reply to the mover in the following cases:
  - (i) Amendments save with the leave of An Cathaoirleach
  - (ii) Adjournment of the meeting
  - (iii) Adjournment of the debate
  - (iv) Continuation of sitting
  - (v) Extension of speech
  - (vi) Postponement of question
  - (vii) Proceeding to next business
  - (viii) Putting the question
  - (ix) Question of privilege
  - (x) Reference back to Committee

- (xi) Reference to Committee not involving an expression of opinion
  - (xii) Suspension of sitting for a short period
  - (xiii) Withdrawal of motion or amendment
- m) When two or more Members at the same time offer to speak, the Member called upon by the Chairperson shall have precedence.
  - n) An Cathaoirleach shall have discretionary power to allow a Member to speak a second time, but such permission shall be given only after every Member who desires to do so shall have spoken once.

## **27 Decision on Motions and Amendments**

- a) Following the debate in accordance with standing order 24, An Cathaoirleach shall first dispose of amendments (if any) by putting the question on each amendment in the order in which they were submitted.
- b) The question on each amendment shall be put separately.
- c) Where an amendment is passed, any subsequent amendment inconsistent with the amendment made shall fall.
- d) Where an amendment is defeated, An Cathaoirleach shall next put the question on any subsequent amendment that is in order.
- e) Having disposed of amendments (if any), An Cathaoirleach shall formally put the question on the substantive motion.
- f) The question on the substantive motion shall be:
  - i) in the event that no amendment is made to the motion, that the motion be carried.
  - ii) in the event that an amendment has been made to the motion, that the motion as amended be carried.
- g) No further amendment may be moved after An Cathaoirleach puts the question on the substantive motion.
- h) If there is equality of votes on a vote on a motion or amendment, and An Cathaoirleach does not exercise his/her casting vote the amendment is deemed not carried.
- i) If a motion which has been amended is defeated, the original motion is not revived.
- j) It shall be necessary for adoption of a motion to revoke or amend a resolution that not less than half of the total Membership of the Council [**20 members**] vote in favour of the revocation or amendment. When a rescinding resolution is itself rescinded, the original resolution is revived.
- k) Each Member present at a meeting of the Council shall have a vote unless prohibited by any enactment.
- l) Every matter at a meeting of the Council shall be determined by a majority of the votes of the Members of the Council voting on the matter, and, in the case of an equal division of votes, An Cathaoirleach of the meeting shall have a second or casting vote except at the Annual Election of An Cathaoirleach.

- m) When voting on a motion is by a roll-call division, there shall be an interval of three minutes between the decision to take the vote and the actual vote itself should any Member so request. An Cathaoirleach shall determine when this interval has elapsed.
- n) Where any matter is required to be decided by a majority or by a particular majority, that requirement shall be deemed to be satisfied if the decision is made without objection from any Member.
- o) Subject to any statutory provision requiring the recording of the names of Members voting for or against a motion, voting may be:-
  - (i) Electronic Voting System.
  - (ii) By voice when it is obvious that the meeting is practically unanimous, and no Member dissenting.
  - (iii) By show of hands. If any objections as to the correctness of the result are made, a poll may be demanded.
  - (iv) By ballot or roll call (roll call vote can be requested by any Member provided it has been proposed and seconded).
- p) Where the Chairperson has not formally declared the result of a vote, or is in doubt as to whether his/her declaration is right or wrong, s/he is entitled if s/he thinks fit to take a second vote on the matter, especially if s/he considers that through some misunderstanding the first vote did not properly represent the sense of the meeting of the time.
- q) Without prejudice to any enactment or other provisions of these Standing Orders requiring either the presence of a specified number or proportion of the Members or that a specified number or proportion should vote in favour for the doing of any particular act, all acts of the Council which are reserved functions or questions duly coming or arising before a meeting of the Council shall be determined – (a) by a majority of the Members present and voting or where there is an equality of votes, by a second or casting vote of the person chairing the meeting (which person shall have and may choose to exercise such a vote).
- r) Where An Cathaoirleach at a meeting of the Council is not a Member of the Council, he/she shall not be entitled to vote in the first instance, or to give a casting vote, on any question.
- s) An Cathaoirleach cannot give his/her first vote after he/she has ascertained the number of votes for or against a motion. He/she can then only give a casting vote.
- t) The minutes shall record the result of the motion including the details of any vote on the motion and any amendment.

## **PART 5 - COMMITTEES**

### **28 Committees – General**

- a) The Council may appoint a Special Committee for a specific purpose. When appointing such a Committee it shall at the same time determine the number and names of Members to constitute such Committee and shall also fix the **quorum** which shall not be less than three. The term of office of a Special Committee shall be for such period as the Council may determine when appointing the Committee.

- b) Every Special Committee at its first meeting shall appoint a Chairperson from its Members and, where practical, fix the day and the hour of future meetings.
- c) In the election of Committees, candidates shall be proposed and seconded and if the number so proposed and seconded does not exceed the number of vacancies, those proposed and seconded shall be declared elected. Should the number of those proposed and seconded exceed the number of vacancies a vote shall be taken by a ballot, each Member having a single vote and in the event of a further tie the person to be appointed shall be determined by lot.

Notwithstanding anything contained above, the provisions of paragraph 18 of Schedule 10 of the said Act and the requirements of any other enactment will apply to appointments to Committees.

- d) Where a Member is nominated to an outside body and fails to attend the body for 4 consecutive meetings without reasonable excuse (in the opinion of the body) the position shall be deemed vacant.
- e) Whenever a vacancy occurs in the membership of any Committee of the Council, by reason of the death, resignation or disqualification of a Member, such vacancy shall be filled as soon as circumstances permit, by the Council after due notice.
- f) In a Special Committee, a motion or amendment may be proposed without a seconder, and a Member may speak more than once to any question, but otherwise the Standing Orders of the Council, so far as they are conveniently applicable, shall govern all proceedings of Committees, and the Member in the Chair at any meeting of a Committee shall determine questions of order.
- g) Every Committee in the whole of its proceedings shall be governed by the Standing Orders or Resolutions of the Council affecting such Committee. The Standing Orders for the Council as a whole shall apply with necessary modifications to proceedings in committees other than Strategic Policy Committees.
- h) A copy of every Report of a Committee to be submitted to the Council shall, before the submission thereof, be transmitted to every Member of the Council at least three days before Council Meetings, save in cases of urgency when reading of the Report to Council shall suffice.
- i) Save for meetings of the Corporate Policy Group and such other Committees as the Local Authority may specify from time to time, representatives of the media and the public may be present at meetings of Committees of the Council. Committees may decide to exclude such representatives from the meeting or the relevant portion of the meeting where the Committee is of the opinion that their absence is desirable because of the special nature of the meeting, or of an item of business to be or about to be considered at the meeting, or for other special reasons.
- j) The Meetings Administrator shall summon a meeting of any Committee at the request of the Chairperson of the Committee, or any three of its Members, or whenever the Meetings Administrator deems it necessary in special circumstances that such Committee shall meet.
- k) An Cathaoirleach of the Council shall be ex-officio a Member of every Committee and

every Sub-Committee except those where Membership is fixed by Statute.

- l) In the absence of the Chairperson of a Committee, any Council Member of the Committee agreed at the meeting shall take the Chair.
- m) The Chairperson of each Committee shall be responsible to the Council for the general management of the business entrusted to such Committee.
- n) Committees may appoint Sub-Committees from their number to facilitate the transaction of business, which shall report to the Committee, but such Sub-Committee shall not have the power to transact any business without express authority from the Committee.
- o) The Council may resolve itself into a Committee of the whole Council for the transaction of business to be specified in the resolution. (Section 45 of the Act).
- p) The decisions of the Committees of the Council shall not become binding, except where otherwise provided in the Standing Orders, until approved by the Council, unless the Council specifically empowers these Committees to deal (without further reference to it) with certain matters, subject to the appropriate legal provisions.
- q) Members must comply with Section 176 and Section 177 of the Local Government Act 2001 in relation to pecuniary or other beneficial interests. It is the responsibility of each Councillor to ensure compliance with these provisions in relation to each Council and/or Committee meeting.
- r) A Casual Vacancy on a committee or on an outside body or appointment shall be filled as follows
  - (i) Where the person causing the casual vacancy was a member of a registered political party at the time of his/her election or appointment, the casual vacancy shall be filled by a person nominated by the same party. This requirement stands whether or not the political status of the member who caused the casual vacancy had changed since the date of his or her election or appointment.
  - (ii) Where the person causing the casual vacancy was a non-party candidate at the time of his/her election or appointment, the casual vacancy shall be filled by a person nominated by decision of the non-party members of the Council, or if there are no such members, or no candidate is nominated by a majority of them, the casual vacancy shall be filled by a decision of a majority of members of the Council.
  - (iii) A Party, or the group of non-party members, may waive their entitlements under this paragraph and agree that the casual vacancy may be filled by a decision of a majority of members of the Council.
  - (iv) If however group or d'Hondt voting was not applied in the first instance, the vacancy shall be filled by any group that would have been entitled to nominate a member to the committee or body under the d'Hondt system, in descending order of group size.

This paragraph shall be subject to any statutory requirement regarding gender, geographical or similar balance.

## **29 Organisation, Procedure & Protocol Committee**

- a) The Organisation, Procedure and Protocol Committee shall consist of a number of members equal to half of the total Membership of the Council [**20 members**] duly elected by the Council. Each Member of the Committee when elected shall remain in office for the term of that Council unless he/she resigns or is disqualified from membership of the Council. In the event of a Member of this Committee not being able to attend a meeting,



he/she may nominate a Member to take his/her place at the meeting with the permission of An Cathaoirleach.

- b) The **quorum** for the meeting of this Committee is one-fourth of the total number of members of the Committee plus one or, where one-fourth of such total number is not a whole number, the quorum is the next highest whole number plus one [**6 members**]. The meetings shall be quarterly and scheduled for a period of 60 minutes unless An Cathaoirleach extends the time with the agreement of a majority of members present or unless the Committee completes its business within that time.
- c) It shall be a function of the Organisation, Procedure and Protocol Committee to fix periodically the dates and times of meetings of the Council and its Committees.
- d) Items submitted by the Members for the Organisation, Procedure and Protocol Committee are limited to five questions and three motions.
- e) Meetings of the OP&P shall be held without admission of the press or public unless the OP&P otherwise decides. Minutes of the OP&P shall not be placed on the Council agenda but a report of the Chairperson shall be placed on the agenda outlining business. Any decision of the OP&P which requires confirmation by resolution shall be placed on the Council agenda by the Chief Executive as a headed item.

### **30 Strategic Policy Committees**

- a) The Strategic Policy Committees shall be constituted in accordance with an SPC Scheme as adopted by the Council from time to time.

Strategic Policy Committees shall be appointed as soon as possible after a local election and the Member shall hold office for the period of the life of the Council appointing them.

- b) Each Strategic Policy Committee shall meet as often as required and at least four times a year to deal with the business assigned to it.
- c) The Standing Orders for Strategic Policy Committees shall apply together with the provisions of Section 48 of the said Act as amended by Section 41 of the Local Government Reform Act 2014 and any other enactment to the operation of the Strategic Policy Committees.
- d) **Arrangements for Meetings**
  - (i) A minimum of four ordinary meetings will be held each year from 5.00pm. The meetings shall terminate no later than 7.00pm.
  - (ii) A special meeting of the Committee may be called at any time by the Chairperson or upon receipt by the Chairperson of a written request from one quarter of members plus one disregarding any fraction [6 members in an SPC of 21 and 5 members in an SPC of 18] of which at least two-thirds must be Councillors [4 Councillors]. Members will be given a minimum of 10 working days notice of the date of a special Committee meeting.
- e) **Notice of Meetings**

The agenda for ordinary meetings and special meetings of the Committee will issue 10 working days before the meetings and where possible, there will be an agreed schedule of meetings.

f) **Quorum**

The quorum for meetings of the Committee shall be one quarter of members plus one disregarding any fraction [6 members in an SPC of 21 and 5 members in an SPC of 18] of which at least two-thirds must be Councillors [4 Councillors].

If after 30 minutes from the agreed starting time of an ordinary meeting, a **quorum** is not present, the meeting shall stand adjourned to a date to be determined by the Chairperson.

g) **Chairperson**

- (i) In accordance with the SPC scheme adopted by the Council, the Chairperson shall be selected by the County Council.
- (ii) At a meeting of the Committee, the Chairperson shall preside. The Chair at each meeting shall be taken within 15 minutes after the time appointed for the meeting. In the absence of the Chairperson the meeting shall select a member to preside. The member selected must be a Councillor.
- (iii) In the event of a Chairperson being absent from three consecutive meetings the matter will be referred to the Council for consideration.
- (iv) The Chairperson shall have a casting vote.

h) **Membership**

Membership of the SPCs shall be in accordance with the SPC scheme approved by Council.

i) **Holding Office**

- (i) Every member of a Committee shall hold office for the lifetime of the Council. If a Councillor member of a Committee ceases to be a Councillor then he/she automatically ceases to be a member of the Committee, and the Council shall appoint a person in his/her place.

If a Sectoral Representative of the Committee resigns from membership of an SPC or states that they are unable to attend meetings of the SPC for a period greater than 1 year then the nominating sector/subsector concerned shall select a replacement representative in accordance with the procedures set out in the Dún Laoghaire-Rathdown County Council Strategic Policy Committee Scheme. Sectoral representatives should ensure that they feed back to their sector and that they are in a position to represent the views of their sector on issues being considered by the SPC.

(ii) De-selection of Sectoral Representative

- (i) Each nominating sector shall be entitled to deselect any of its nominees, in accordance with the criteria listed below and in this event the nominee shall cease to be a member of the Committee. This applies whether the nominee was directly elected by the sector/subsector or was nominated having regard to the relevant expertise specified in the SPC Scheme and the number of organisations in the sector/subsector designated as having the necessary expertise.
- (ii) In the event that a person is so deselected the sector/subsector so concerned may nominate another person in his/her place in accordance with the procedures set out in the Dún Laoghaire-Rathdown County Council Strategic Policy Committee Scheme.

- (iii) Criteria for de-selection
- Non-attendance at SPC meetings without reasonable explanation, in accordance with Standing Order No. 28 (s) (ii)
  - Non-attendance without reasonable explanation, at consultative meetings held by or for each Sector in accordance with Standing Order 28 (s) (ii)
  - Resignation or otherwise from the nominating organisation
  - Failure to enjoy the support of two thirds of the approved organisations in his/her sector or sub-sector for continuance in office.
  - That the organisation represented ceases to exist;
  - That the organisation represented following an AGM or an EGM expresses a wish that it be no longer represented by the person concerned.

j) **Order and Submission of Business**

(i) **Order of Business**

- (i) Confirmation of minutes
- (ii) Matters arising
- (iii) Information items submitted by members for written reply
- (iv) Business submitted by the Director of Services (if any)
- (v) Business referred from the Council (if any)
- (vi) Business referred from the Corporate Policy Group (if any)
- (vii) Correspondence (if any)
- (viii) Future Work Programme
  - (i) Current Work Programme
  - (ii) Items for consideration for Future Work Programme
- (ix) Any other business (if any)

(ii) **Submission of Business**

Each member may submit one item seeking information on a strategic policy issue relevant to the business of the SPC of which they are a member, for written reply only (without debate) at the meeting. Item to be submitted 22 clear days prior to the date of meeting.

Each member may submit one strategic policy issue relevant to the business of the SPC of which they are a member for consideration by the Committee for inclusion in the Future Work Programme of the Committee. To be submitted 22 clear days prior to the date of the meeting.

(iii) **Papers and Documents**

Committee members who wish to have papers circulated for information only in conjunction with business on the agenda of a Committee meeting shall provide such papers to the relevant SPC Director 10 clear working days prior to the meeting.

k) **Minutes**

- (i) Minutes of all Committee meetings shall contain particulars of the names of the members present at the meeting, those who have conveyed their apologies to the Meetings Administrator prior to the time that the meeting is scheduled to conclude and those who are absent together with particulars of all decisions arrived at or recommendations which the Committee make. Minutes should also record the attendance of members of another SPC.
- (ii) The Minutes of every Committee meeting shall be signed by the Chairperson following confirmation by the Committee.
- (iii) Minutes should be circulated to members 21 clear days after date of meeting.

- l) **Rules of Debate**
- (i) Meetings will be conducted in a spirit of mutual respect and inclusiveness.
  - (ii) Each member of the Committee shall have the right to speak on an issue and the Chairperson shall ensure that all members have an opportunity to contribute to debates and discussions.
  - (iii) Each member shall be allowed to speak for not more than 3 minutes on an issue.
  - (iv) The Committee shall, as far as possible, arrive at all decisions and recommendations by consensus.
  - (v) Voting may be by show of hands or by roll call at the request of any member.
  - (vi) Whenever any member shall be called to order by the Chairperson, the member so called shall immediately resume his/her seat and shall not again address the Committee until they have complied with the request of the Chairperson.
  - (vii) When the Chairperson so directs a member to resume his/her seat and the member does not do so forthwith, the Chairperson shall give directions for the removal of the member and such other directions as are necessary for restoring order to the proceedings.
  - (viii) The ruling of the Chairperson on a point of order shall be final
- m) **Personal/Pecuniary Interest**
- (i) Committee members must comply with Section 176 and Section 177 of the Local Government Act 2001 in relation to pecuniary or other beneficial interests. It is the responsibility of each Committee Member to ensure compliance with these provisions in relation to each Committee meeting.
  - (ii) A member of a Committee must declare any personal, business/trade or professional interest, for which it is likely that attendance at a meeting or participation in a debate may reasonably constitute a conflict of interest.
- n) **Confidential Material**
- (i) Certain matters which arise for discussion by the Strategic Policy Committee may be confidential and it is a matter for the Chairperson to declare that confidentiality shall be maintained on the issue.
  - (ii) It shall be the responsibility of each member of a Committee to ensure that confidentiality is maintained.
- o) **Attendance of Press and Public**
- (i) Press and public can attend Committee meetings unless the Committee decide that a meeting or part of a meeting should be held in private session.
  - (ii) Admission of visitors shall be by visitor's ticket issued by members. Every member is entitled to issue one visitor's ticket for the admission of one visitor to any meeting of a Committee at which visitors are permitted to be present. One such visitor's ticket shall be transmitted to each member together with the notice of the meeting.
  - (iii) Visitors are to maintain silence and observe any directions given by the Chairperson or any officer in attendance on the Committee. Disorderly persons may be removed by order of the Chairperson.
  - (iv) Electronic recording, by visitors, of the proceedings of the meeting is prohibited.
- p) **Business not Reached**
- (i) When at a meeting of the Committee the whole business set down for such meeting has not been reached, such business shall be set down to be disposed of at the next meeting of the Committee save that any item included in such business

- may be withdrawn by the member who submitted the item.
- (ii) Items re-entered from a previous meeting shall retain their position on the agenda in accordance with the order of business set out in Standing Order No. 28 (j) (i).
- q) **Report of Chairperson and Recommendations**
- (i) The Chairperson shall prepare a written report to be circulated to the Members of the Council 7 clear days before a Council meeting. The report should reflect the issues considered by the Committee, the views expressed and the final recommendation(s) of the Committee.
  - (ii) Chairperson's report to be submitted to next appropriate Council meeting and should be circulated to each member of the Committee.
- r) **Sub-Committees**
- (i) The Committee shall be entitled to establish no more than two sub-Committees (working groups) to examine particular policy issues at any one time. Recommendations should be listed numerically. Each recommendation should be put to the Committee individually for debate and decision.
  - (ii) Composition of sub-committees/working groups to be comprised of a mix of the membership of the Committee.
- s) **Meetings**
- (i) **Substitute Membership**  
Members of a Committee shall not be entitled to nominate a substitute to attend meetings in their place.
  - (ii) **Non-Attendance**  
In the event of a member failing to attend 3 consecutive ordinary meetings of the Committee in any year, the Council and/or nominating sector shall be asked to review the matter.
  - (iii) **Observer Status**  
Council Members of another Strategic Policy Committee may attend and, with the permission of the Chairperson, speak, but not vote, at meetings of Strategic Policy Committees of which they are not members.
- t) **Interpretation of Standing Orders**  
The Chairperson's ruling on any question of the Standing Orders shall be final.
- u) **Amending Standing Orders**  
A Strategic Policy Committee can recommend an amendment to or review of Standing Orders for consideration by the County Council. The proposed amendment must have the agreement of the majority of the total membership of the Committee.
- v) **Suspension of Standing Orders**  
Standing Orders may, at any time by consent of a majority of the total membership of a Committee, be suspended for the purpose of any specific business before the Committee.
- w) **Matters Not Covered by Standing Orders**  
The Chairperson shall have power to deal with any matter not covered by Standing Orders.

### 31 Corporate Policy Group

An Cathaoirleach of the Council and the Cathaoirligh of the Strategic Policy Committees shall form the Corporate Policy Group, which shall meet as often as required under the Chairmanship of An Cathaoirleach and shall provide a forum for discussion of policy affecting the whole Council and shall report to Council.

### 32 Area Committees

- a) Dún Laoghaire-Rathdown County Council shall be divided into two Area Committees as follows: -
  - (i) **Dundrum Area Committee** containing electoral areas Dundrum, Stillorgan and Glencullen-Sandyford
  - (ii) **Dún Laoghaire Area Committee** containing electoral areas Blackrock, Dún Laoghaire and Killiney-Shankill.
- b) The Members of the Council for each of the local electoral areas contained in each of the areas Dundrum, Stillorgan, Glencullen-Sandyford, Blackrock, Dún Laoghaire and Killiney-Shankill shall be Members of the Area Committee for that area. Each Area Committee may in each year appoint a Chairperson to hold office.
- c) The **quorum** for an Area Committee meeting shall be a Membership of that committee divided by four plus one, subject to such **quorum** not being less than three Members. Each Area Committee may set up sub-committees as required to deal with such matters as may be assigned from time to time and shall cease to exist upon completion of its report to the Area Committee. All matters specific to an area shall in the first instance be brought to the attention of the appropriate Area Committee for consideration and report.
  - (i) Each Area Committee will meet twice monthly except in the months of July and August.
  - (ii) The hour of the meeting of the Area Committee shall be 5pm or such other hour as may be from time to time be fixed by resolution of the Council. The meeting shall be of two hours duration unless the agenda is completed earlier.
  - (iii) The order of business on the Area Committee agenda shall be as follows:
    - (i) Questions – not more than six questions per Member of the Area Committee. Questions must relate to the business of the Area Committee meeting.\*
    - (ii) Business submitted by the Chief Executive.
    - (iii) Correspondence.
    - (iv) Motions – not more than two motions per Member of the Area Committee. Motions must relate to the business of the Area Committee Meeting. \*

\* Issues which could be categorised as either information/progress/operational/ representational should be listed on the Area Committee Agendas
- d)
  - (i) The proceedings of every Area Committee shall be recorded. Draft minutes of each Area Committee meeting shall be prepared and submitted for confirmation at the next meeting of the Committee. Copies of the draft minutes shall be circulated to every Member of the Committee and shall be taken as read. When the question that they be confirmed is put by the Chairperson, a Member may object to any part thereof as not being an accurate record and any question of altering the draft minutes on the grounds of inaccuracy shall be determined by the Committee by majority vote.
  - (ii) Each Area Committee shall submit a Report summarising its proceedings to the County Council. Such summary Report shall contain an accurate account of the proceedings of that Committee in relation to its recommendations to the County

- Council, particularly with reference to reserved functions of the Council and to matters of strategic importance for the County.
- (iii) Every report of a Committee of the Council shall bear the date of its adoption by the Committee; shall be signed by the Chairperson of the Committee, or by the Member in the Chair when the Report is adopted, and when printed shall show upon the first page the subject of the Report, and its number, and at the end of the Report the name of the Member by whom it has been signed. A Report in continuation of a previous Report shall refer to such previous Report by number and title.
- e) All matters specific to an area shall in the first instance be brought to the attention of the appropriate Area Committee for consideration and report. (Section 50 of the Act as amended by Section 42 of the Local Government Reform Act 2014)

### **33 Deputations**

- a) The Council may set aside days on which deputations shall be received. The days normally set aside for this purpose shall not include days in July, August and December.
- b) Any person wishing to address the deputation shall deliver to the Meetings Administrator not less than seven clear days before the date of the deputation at which they wish to be heard, written applications specifying the subject matter to be dealt with.
- c) It is recommended that no deputation shall exceed five persons in number and the maximum duration of discussion between each deputation and the Council Members and officials shall be forty-five minutes.
- d) Save where the Council, by resolution, otherwise decides, no deputation from any particular association or body shall be received more than once in any six-month period.

## **PART 6 – MISCELLANEOUS AND GENERAL**

### **34 Common Seal**

- a) The Common Seal of the Council shall be kept in some safe place, secured by lock, the keys of which shall be respectively in the keeping of An Cathaoirleach and Chief Executive or their nominee. The Seal shall not be affixed to any document except in pursuance of a Resolution of the Council or a signed order of the Chief Executive as the case may require. Whenever the Seal is affixed it shall be affixed in accordance with the provisions of Section 11 of the Local Government Act 2001."
- b) An Cathaoirleach may affix the Common Seal to any documents going abroad which do not in any way relate to the Council, at any time, without any resolution of the Council.

### **35 Preservation of Documents**

The Local Authority will make arrangements for the proper management, custody, care and conservation of local records, local archives and documents to be preserved by the Local Authority.

### **36 Casual Vacancy**

A Casual Vacancy shall be filled by resolution of the Council in accordance with Section 19 of the Local Government Act 2001.

- a) Where the person causing the casual vacancy was a member of a registered political party at the time of his/her election or co-option the casual vacancy shall be filled by a person nominated by the same party. This requirement stands whether or not the political status of the member who caused the casual vacancy had changed since the date of his or her election or co-option.
- b) Where the person causing the casual vacancy was a non-party candidate at the time of his/her election or co-option, the casual vacancy shall be filled by a person nominated by the non-party candidate causing the vacancy. Each non-party candidate shall within two months of his/her election or co-option submit (and/or within two months of the adoption by Council of these Standing Orders) to the Meetings Administrator of the Council, the names of persons to be so nominated listed in order of priority. The list shall be accompanied by a letter signed by each of the persons named thereon indicating their acceptance of the nomination.
- c) Where no substitute list has been provided by a member who is not at the time of his/her election a member of a registered political party within the timeframe allowed in section 34 (b) then the casual vacancy will be filled by a majority vote of the Council.

### **37 Duty of Members Appointed To Other Bodies**

- a) Where one or more than one Member of the Council is elected, appointed or nominated by the Council to another body, whether established by or under statute or otherwise, it is the duty of that Member or Members to represent the Local Authority and to present a report to it on the activities and operation of that body: -
  - (i) annually, or
  - (ii) at any other time, if so requested by resolution or by An Cathaoirleach.
- b) A Member or Members appointed to outside bodies and boards may from time to time submit reports to the Council on matters arising in such bodies or boards which have relevance to the Council and shall in any event do so in accordance with the requirements of Section 141, Local Government Act, 2001.

### **38 Motions to Nominate a Presidential Candidate**

Where a meeting is held during the period for nomination of a presidential candidate, a motion to nominate a candidate may be debated and put at the commencement of business without the notice set out in these standing orders, and whether or not the motion appears on the agenda paper, provided that notice provisions under the Presidential Elections Act 1993 are complied with. If more than one such motion is submitted, the motions shall be decided upon by the Council in the order in which they were submitted.

### **39 Civic Honours**

- a) Nominations for persons to receive civic honour will be made by An Cathaoirleach to the Council, and the decision to confer a civic honour on a person will be made by resolution of the Council. Any person conferred with the "civic honour" referred to in this standing order will receive the Honorary Freedom of the County. Honorary Freedom of the County shall be an honorary description only, to recognise the contribution of the recipient to the County, and shall not confer any rights or impose any liabilities upon the recipient.
- b) Without prejudice to Section 74 (1)(b) of the Local Government Act 2001, the award may not normally be made more than once in a three year period.
- c) The grant of the award of civic honour will be by way of motion, naming the relevant person or persons and the reasons why such award should be conferred. The motion will be proposed and agreed by the County Council in accordance with the standing orders. If there are compelling reasons why the recipient cannot attend an awarding ceremony the



civic honour may be conferred in absentia.

- d) Following the motion to confer the award, a Special Meeting of the Council will be convened to present the civic honour on the relevant person or persons.
- e) The Special Meeting will be followed by a civic reception, and the programme may include musical entertainment, poetry, speech, drama or other artistic activity.
- f) The recipient of the award will sign a roll of honour and be presented with a certificate of the civic honour.
- g) An annual awards ceremony may be held by An Cathaoirleach to honour less significant achievements by individuals, groups or organisations together with the holding of a Cathaoirleach's reception.
- h) The Council will be notified formally by An Cathaoirleach, under Cathaoirleach's Business of the person or persons selected.

#### **40**

##### **Standing Orders**

- a) An Cathaoirleach shall have power to deal with any matter not covered by Standing Orders.
- b) Subject to the provisions and requirements of the Act, or of any other enactment, any Standing Order, except where expressly permitted by these standing orders, may at any time be suspended on a motion proposed without notice for the purpose of enabling any specific business defined in the suspensory motion to be considered and dealt with by the Council, subject to the requirement that at least two-thirds of the Members present vote in favour, at least one half of Members of the whole Council being present. No such motion shall be made until 45 minutes has elapsed after the commencement of business, or at the conclusion of business, whichever is the earlier.
- c) An Cathaoirleach's ruling on any question/or his/her interpretation of the Standing Orders shall be final. In the event of any question, doubt or dispute arising as to the area of functions or functioning of the Council or a Committee or as to the application of Standing Orders to the Council or a Committee, An Cathaoirleach whose decision shall be final shall determine the matter.
- d) These Standing Orders shall continue in force until altered, revoked, or amended by Resolution for which at least one half of the total number of Members of the Council vote in favour.
- e) Standing Orders shall be made by Resolution for which at least one-half of the total number of Members of the Council vote in favour.

## PART 7 – REMOTE MEETINGS

Standing Orders in respect of remote meetings, apply solely to the full Council Meetings of Dun Laoghaire Rathdown County Council only.

### Definitions:

**Remote Meeting:** A remote meeting provides for participants to use video, audio and online technology to participate in a meeting. A remote meeting does not require the meeting to be held in one single physical location.

**Hybrid Meeting:** A hybrid meeting provides for both physical and online participation of attendees at the meeting. It allows for some participants to attend a meeting in one physical location while providing for other participants to attend the meeting by use of video, audio and online technology.

### 41 Management of Remote Meetings

- a) All Standing Orders in place are applicable to remote meetings.
- b) Members should notify their Meetings Administrator in advance if they intend to attend the meeting remotely.
- c) Any member participating in a meeting remotely must, when they are speaking, be able to be heard (and seen, where practicable) by all other members in attendance, and the remote participant must, in turn, be able to hear (and see, where practicable) those other members participating
- d) The Cathaoirleach will at the outset, and at any reconvening of a meeting, call a roll call of participating members and ensure that they can hear and, where practicable, see those in attendance. Any member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can hear and, where practicable, see the proceedings. Attendance at the meeting remotely, will be reflected in the minutes.
- e) Members should inform the Meeting Administrator or a designated staff member, if they lose connection in accordance with provisions on connectivity within the agreed standing orders as reasonably practical.
- f) The attendance of those members at the meeting will be recorded by the Meetings Administrator.
- g) The normal quorum requirements for meetings as set out in the Council's Standing Orders will also apply to a remote meeting. Members attending physically and remotely will together constitute a quorum.
- h) A review of the Standing Orders for remote meetings will be undertaken within three months of the adoption of same.

## **42 Meetings Procedures**

- a) The Meetings Administrator will coordinate the facilitation of the meeting. A designated official will assume responsibility for controlling the conferencing technology employed for remote access and attendance, and to administer the member interaction, engagement and connections on the instruction of the Cathaoirleach.
- b) Members should allow 10 minutes to establish a connection prior to the commencement of the meeting to allow themselves and the Meeting Administrator and/or designated official the opportunity to test the connection.
- c) The Cathaoirleach, at the beginning of the meeting, will explain the protocol for members' participation. The Cathaoirleach's ruling during the debate will be final.
- d) Members who wish to speak should use the notification process as directed by the Cathaoirleach, and then speak when invited.
- e) The rules of debate as set out in existing standing orders will apply.

## **43 Voting**

- a) A roll call vote taken remotely in accordance with the Standing Orders of the local authority constitutes a valid vote towards the decision of the Council.
- b) Where a member loses connectivity during a statutory vote, every effort will be made to re-establish a connection. If a connection cannot be restored within a reasonable timeframe, every effort should be made to allow the member to vote as set down in the standing order 43(c), and the vote recorded accordingly.
- c) Where connectivity cannot be restored, an immediate telephone call will be made by the Meetings Administrator, to record their vote. The Member's vote shall be played to the attendance over the microphone and the vote recorded accordingly.

## **44 Leaving a Remote meeting**

- a) Members leaving the meeting should make every effort to inform the Cathaoirleach by the appropriate means that they are exiting the meeting to ensure there is a Quorum remaining and so that it is not presumed to be a loss in connectivity.

## **45 Declarations of Interest**

- a) Any Member participating in a remote meeting who declares a disclosable pecuniary or other beneficial interest, under Part 15 of the Local Government Act 2001, in any item of business that would normally require them to leave the room, must also leave the remote meeting, advising the Cathaoirleach and members at the time of departure and this shall be recorded in the minutes. Their departure will be confirmed by the Meetings Administrator and/or a designated staff member, who will invite the relevant Member by agreed means set down in the standing orders to re-join the meeting at the appropriate time.

- b) The agreed means to invite the relevant Member to re-join the meeting at the appropriate time shall be by way of mobile phone.

**46 Attendance of Public and Media at a Remote Meeting –  
(Section 45(3)- Local Government Act 2001 – 2014)**

- a) Any remote Council meetings will be webcast live, attendance of public and media is via that means.

**47 Meeting in Committee**

- a) In line with the provisions of Section 45 of the Local Government Act 2001, the Council may by resolution decide to meet in committee for the whole or part of the meeting concerned.
- b) Should the Council elect to meet in Committee for some or all of the meeting, the Meetings Administrator or designated person will ensure that there are no members of the public or media in remote attendance or remotely accessing the meeting or are able to hear or see the proceedings once the exclusion has been agreed by the meeting.
- c) Where the Council has by resolution decided to meet in Committee for the whole or part of the meeting concerned, each member participating remotely has personal responsibility to ensure and confirm to the Meetings Administrator that there are no other persons present who are not entitled to be either hearing or seeing consideration of such items, and/or recording the proceedings, in accordance with standing orders that apply.