



## STANDING ORDERS

These Standing Orders govern the conduct of the meetings of the Fire Authority and its Panels. They have been put in place to ensure clarity and transparency around how the Authority makes decisions at its meetings

Responsible Officer	First Section Issue Date	Section Amended/Updated	Review Date
Assistant Director Planning & Improvement	October 2005	August 2103 December 2014 January 2017 September 2017 July 2019 September 2021	

## STANDING ORDERS

### PART 1 – AUTHORITY MEETINGS

#### GENERAL

- 1 [Interpretation of Part 1](#)
- 2 [Membership of the Authority](#)
- 3 [Timing of meetings](#)
- 4 [Notice of meetings and the right of the public to be present](#)
- 5 [Circulation of Panel reports](#)
- 6 [Record of Attendances](#)
- 7 [Admission of public and press](#)
- 8 [Motions affecting employees](#)
- 9 [Election of Chairperson and Vice-Chairperson](#)
- 10 [Minutes](#)
- 11 [Suspension of Standing Orders](#)
- 12 [Adjournment of Meetings](#)
- 13 [Lack of quorum](#)
- 14 [Order of business](#)

#### RULES OF DEBATE

- 15 [Points of order or personal explanation](#)
- 16 [Motions and amendments](#)
- 17 [Definition of ‘amendment’](#)
- 18 [Disposal of amendments](#)
- 19 [Alteration of motions](#)
- 20 [Withdrawal of motion or amendment](#)
- 21 [Closure of Debate on a motion or amendment](#)
- 22 [Voting](#)
- 23 [Voting on appointments](#)

#### QUESTIONS AND PETITIONS

- 24 [Questions which Members may ask without notice](#)
- 25 [Questions of which members of the public or Members must give notice  
\(written questions\)](#)
- 26 [Petitions](#)

#### IMPROPER CONDUCT OF MEMBERS AND PUBLIC

- 27 [Chairperson may direct Member to discontinue speech](#)
- 28 [Disorderly conduct](#)
- 29 [Disturbance by members of the public](#)
- 30 [Disclosure of Authority business](#)

### PART 2 - GENERAL

- 31 [Financial Regulations](#)



- 32 [Custody of the Common Seal](#)
- 33 [Sealing & signing of documents](#)
- 34 [Inspection of documents](#)
- 35 [Inspection of land and premises etc.](#)
- 36 [Interest of Members or Officers in appointments](#)
- 37 [Interest of Officers in contracts](#)
- 38 [Members' Interests](#)
- 39 [Canvassing of Members](#)
- 40 [Standing Orders to be made available to Members](#)

**PART 3 - PANELS (COMMITTEES) OF THE AUTHORITY**

- 41 [Appointment of Panels](#)

## **CONSTITUTIONAL ARRANGEMENTS AND STANDING ORDERS FOR THE EAST SUSSEX FIRE AUTHORITY**

### **PART 1 - AUTHORITY MEETINGS**

#### **GENERAL**

#### **P 1 Interpretation of Part 1**

- 1.1 In these Standing Orders:
- i. "Authority" means the East Sussex Fire Authority.
  - ii. "Chairperson" means the Chairperson of the Authority, the Vice-Chairperson of the Authority, or the person presiding at the meeting of the Authority.
  - iii. "Chairperson of a Panel" includes the Vice-Chairperson of the Panel or any other Member of the Panel presiding in the Chairperson's absence.
  - iv. "Chief Fire Officer and Chief Executive" means the Chief Fire Officer and Chief Executive of the Authority.
  - v. "Constituent Authorities" means East Sussex County Council and Brighton & Hove City Council.
  - vi. "Member(s)" unless the context requires otherwise means Member(s) of the Authority.
  - vii. "Monitoring Officer" means the Monitoring Officer of the Authority
  - viii. "The Scheme" means the East Sussex Fire Services Combination Scheme.
- 1.2 If there is any conflict between these Standing Orders and the Local Government Act 1972 (or subsequent or amending legislation), then the Act shall prevail.
- 1.3 "P" before the title of a Standing Order denotes that the order applies to Panels as well as to meetings of the Authority.



- 1.4 The ruling of the Chairperson as to the meaning or application of any of the Standing Orders in Part 1 or as to any aspect of the Authority's procedure (including the order of business) shall be conclusive and shall not be challenged at any meeting of the Authority, nor shall it be open to discussion.
- 1.5 For the avoidance of doubt, these Standing Orders shall apply to all relevant meetings of the Authority, whether they are physical meetings or virtual meetings held in accordance with the requirements of legislation in place at the relevant time.

### **Standing orders to apply to Panels**

- 1.6 Standing Orders 1 (interpretation), 6 (record of attendances), 7 (admission of public and press), 8 (motions affecting employees), 13.4 (lack of quorum), 14.2 (declarations of Interest), 14.4 (apologies for absence), 14.5 (urgent items), 14.8 (minutes of last meeting), 14.9 (callover), 14.10 (reports), 14.11 (motions to exclude press or public), 14.12 (other business), 14.13 (referral of reports to the Authority), 22.2 (a member recorded vote), 22.3 (Chairperson's casting vote), 23 (voting on appointments), 27-29 (improper conduct), 30 (disclosure of Authority business), 38 (Members' interests) and 41 (Appointment of Panels) shall, with any necessary modification, apply to all meetings of Panels and Sub Panels.
- 1.7 Insofar as the rules of debate are concerned, each Chairperson of a Panel shall exercise their discretion in such a way as to ensure that the principles which govern the meetings of the Authority and which underpin the Rules of Debate specified at 15 are observed at Panel meetings.

## **2 Membership of the Authority**

- 2.1 In accordance with the requirements of the East Sussex Fire Services (Combination Order) 1996 ('the Combination Scheme'), each Constituent Authority shall appoint, so far as is practicable, such number of its own elected Members to be Members of the Authority as is proportionate to the number of local government electors in its area in relation to the number of such electors in the other Constituent Authority's area.
- 2.2 The Authority shall consist of Members appointed to the Authority by the Constituent Authorities in accordance with paragraph 12 of the Combination Scheme.



- 2.3 The political balance rules in the Local Government and Housing Act 1989 apply both at the stage when each Constituent Authority makes appointments to the Authority and also when the Authority establishes Panels (Committees or Sub-Committees) unless (as is normally the case in relation to any Standards Hearing Panel or Principal Officer Appointments Panel) the Authority resolves otherwise.

*(Note: the political balance rules do not apply to any member working groups or other bodies set up to carry out an advisory – as opposed to decision-making - function).*

- 2.4 A Member may resign from the Authority by giving notice in writing to the Monitoring Officer and also normally to the Monitoring Officer of the Constituent Authority (if not one and the same) at any time prior to the start of any meeting of the Authority. The relevant Constituent Authority may appoint a replacement who will continue in office for the remainder of the period for which the predecessor would have held office, had he or she not resigned.

- 2.5 The Constituent Authorities may in addition agree to appoint one or more Reserve Member(s). Any Reserve Members so appointed shall not have the status of Members, the total number of which shall not exceed the requirements of the Scheme. A Reserve Member so appointed may attend a specific meeting of the Authority where nominated to do so by a Member of the same Constituent Authority and political group in order to speak and vote in their place where that Member is unable to do so. Notice must be given to the Monitoring Officer prior to the meeting and the Reserve Member must declare themselves and have their attendance recorded in the minutes.

- 2.6 Attendance by a Reserve Member shall only be for the whole of the meeting and not for part of it. For the avoidance of doubt, this facility to nominate a Reserve to attend in the standing Member's place shall be without prejudice to the ability of any Member attending a meeting of the Authority to excuse him or herself from any individual item during the course of any meeting and re-join the meeting for a later item.

- 2.7 2.5 and 2.6 above shall not affect the standing Member's entitlement to Member Allowances, nor shall it permit the Reserve Member access to the Fire Authority's Members' Allowance Scheme.

### **3 Timing of meetings**

- 3.1 The Authority shall normally hold at least four meetings per year, in accordance with a programme set by the Authority at its annual meeting.



The Authority's annual meetings and its budget meetings shall normally be held in or about June and February each year respectively, on dates indicated at the annual meeting except when otherwise agreed by the Chief Fire Officer, following consultation with the Authority's Chairperson.

- 3.2 Extraordinary meetings may be called either by the Chief Fire Officer, having first consulted with the Chairperson, or on the requisition in writing of any five Members of the Authority
- 3.3 The Chief Fire Officer may postpone or cancel any meeting and/or determine where it takes place with the prior agreement of the Chairperson.
- 3.4 Meetings of the Authority shall commence a time determined by the Authority or by the Chairperson, and shall start no earlier than 10 a.m.

#### **4 Notice of meetings and the right of the public to be present**

- 4.1 The Monitoring Officer shall both publish on the Authority's website and also provide Members with access to the agenda for each meeting of the Authority specifying the business to be transacted and providing copies of relevant papers, together with the minutes of the preceding meeting. Such notice shall be given not less than 5 clear working days before the day of the meeting.
- 4.2 While Members are provided with the agenda and papers of meetings as a matter of courtesy, the publication of the agenda is considered to serve as notice to Members as well as to the public. A lack of service on any individual Member shall not affect the validity of the meeting.
- 4.3 All meetings of the Authority shall normally be open to the public and to the press. Where a decision is made pursuant to Standing Order 7 to exclude them where a confidential or exempt item is under consideration, then a clear indication of the decision and the reasons for it shall be given and they shall be invited back in for the remainder of the meeting once the relevant matter is concluded.

#### **5 Circulation of Panel reports**

- 5.1 After consulting the Chairperson of any relevant Panel, the Monitoring Officer shall settle on behalf of all Panels any reports from Panels to the Authority (incorporating appropriate material before the Panel) for signature by the Panel Chairperson.

#### **P 6 Record of Attendances**



6.1 A record of the Members attending any meeting of the Authority shall be retained by the Monitoring Officer.

**P 7 Admission of public and press**

7.1 The public shall be admitted to all the meetings of the Authority unless excluded by resolution in accordance with the provisions of the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985.

7.2 The press and public shall be excluded for the whole or any part of the proceedings if a motion in one of the following forms, duly moved and seconded, is carried:

(i) To exclude the public and accredited representatives of the press from the meeting during consideration of item(s) on the agenda on the grounds that the item(s) involve(s) a likely disclosure of exempt information as defined in paragraph(s) of Part 1 of Schedule 12A to the Local Government Act 1972.

(ii) To exclude the public and accredited representatives of the press from the meeting during the consideration of item(s) on the agenda on the grounds that there would be a disclosure of confidential information furnished to the Authority by a Government Department on terms which forbid its disclosure to the public.

(iii) To exclude the public and accredited representatives of the press from the meeting during consideration of item(s) on the agenda, on the grounds that there would be a disclosure of confidential information prohibited by statute or by order of a Court.

7.3 The Chairperson may give the Monitoring Officer directions as to arrangements for the admission of the public.

7.4 Tape or video recorders, transmitters, microphones, cameras or similar equipment shall be permitted at meetings of the Authority.

7.5 No member of the public shall interrupt or take part in the proceedings at any meeting otherwise than in accordance with the Rules in these Standing Orders on public participation or exceptionally with the consent of the Chairperson. If any member of the public interrupts or takes part in the proceedings at any meeting, the Chairperson shall warn them and if they continue to interrupt, the Chairperson will order their removal.



- 7.6 The Chairperson may at any time – if they think it desirable in the interests of achieving order – move that the meeting be adjourned or suspended. If the motion is carried, the meeting shall be adjourned or suspended to a time and place to be determined by the Chief Fire Officer after consultation with the Chairperson.

**P 8 Motions affecting employees**

- 8.1 If any question arises at a meeting of the Authority as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct or ability of any person employed by the Authority, a motion to exclude the public and press shall be moved forthwith by the Chairperson and put without debate, save where the information is already in the public domain.

**9 Election of Chairperson and Vice-Chairperson**

- 9.1 The Authority shall at the annual meeting elect a Chairperson. It may also elect a Vice-Chairperson or Vice-Chairpersons from among its Members as the first item of business.
- 9.2 On a casual vacancy occurring in the office of Chairperson and/or Vice-Chairperson, the Authority shall elect from its Members a person to replace the Chairperson and may so elect a person to replace the Vice-Chairperson as the case may be.
- 9.3 The Authority, when deciding to elect a Vice-Chairperson, should consider an appropriate representative balance between the two Constituent Authorities such that the Vice-Chairperson, unless the Fire Authority specifically determine otherwise, should be a Member from the other Constituent Authority to that of the newly elected Chairperson.

**10 Minutes**

- 10.1 The Chairperson shall put the question "that the Authority resolves to approve the signing of the minutes of the last meeting of the Authority as a correct record".
- 10.2 No discussion shall take place upon the minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Chairperson shall indicate an intention to sign the minutes.

**11 Suspension of Standing Orders**

- 11.1 One or more Standing Orders in Part 1 may only be suspended by the Authority if a motion to do so is formally moved, seconded and put without discussion at a point when at least two thirds of the total number of Members are present.

## **12 Adjournment of Meeting**

### General power to adjourn

- 12.1 The Chairperson may, in addition to any other power, adjourn a meeting of the Authority for such period as the Chairperson shall consider expedient. The Chairperson shall fix the date and time at which the Authority will resume either at the time of the adjournment or at any time thereafter.

### Adjourned meeting

- 12.2 Subject to Standing Order 12.1, if any meeting of the Authority is adjourned before its business has been finished, the meeting shall then stand adjourned until a date and time fixed by the Authority, or fixed by the Chairperson, or if no such date and time is fixed, to the next ordinary meeting of the Authority.

## **13 Lack of quorum**

- 13.1 One third of the total number of Members (at present 6), this to include at least one Member from each Constituent Authority, constitutes a quorum, except that when a motion is moved to suspend Standing Orders (Standing Order 11.1) there shall be present at least two thirds of the Members of the Authority.
- 13.2 If during any meeting of the Authority the Chairperson, after the Members present have been counted, declares that there is not a quorum, the meeting shall stand adjourned until a date and time to be fixed by the Chairperson or, if no such date and time is fixed, to the next ordinary meeting of the Authority.
- 13.3 A quorum found to be present under Standing Order 13.2 at any meeting of the Authority shall be deemed to continue to be present at the meeting until found otherwise under Standing Order 13.1.
- P** 13.4 Quorum for the Panels will be set at the Authority's annual meeting, when the political balance is determined. No business shall be transacted at any meeting of any Panel if quorum is not achieved.

## **14 Order of business**

14.1 The order of business at a meeting of the Authority shall (subject to the Chairperson's discretion to vary the order of proceedings) be as follows.

**P 14.2 Declarations of Interest**

To invite members to notify the meeting of any interests to be declared (including but not only any conflicts which arise between the business of the Fire Authority and the business of any other Authority to which the Member is appointed)

At the Annual Meeting of the Authority:

**14.3 Appointment of Chairpersons, Vice-Chairpersons and Lead Members**

(i) At an annual meeting of the Authority and any other meeting where it is necessary, to elect a Chairperson, and if considered appropriate a Vice-Chairperson, and to appoint such Lead Members as the Authority may from time to time determine.

(ii) At the annual meeting of the Authority, to appoint a Chairperson, and if considered appropriate a Vice-Chairperson, of each Panel. *(Note: in any case where no such appointments are made at the annual meeting, the relevant Panel will exercise this function under Standing Orders 14.3(iv) and 41)*

(iii) On any occasion when the Chairperson and Vice-Chairperson of the Authority are not present, to elect a person to preside.

(iv) At the first meeting of any Panel after the annual meeting where a Chairperson, and optionally a Vice Chairperson, has not been appointed, to make those appointments.

**P 14.4 Apologies for Absence**

To notify apologies for absence and (where relevant) attendance by any Reserve Members.

**P 14.5 Notification of items considered urgent by the Chairperson/ Chairperson's business items**

To notify urgent business items/Chairperson's business.

**14.6 Written Questions from the Public or from Members**

To consider any written questions from members of the Public or from Members submitted in accordance with Standing Order 25.

**14.7 Petitions**

To consider any Petitions submitted in accordance with Standing Order 26

**P 14.8 Minutes of last meeting**

To consider and approve the minutes of the last meeting of the Authority pursuant to Standing Order 10.

**P 14.9 Call over**

The Chairperson to call the item numbers of the remaining items on the agenda. Each item which is 'called' by any Member shall be reserved for debate. The Chairperson will then ask the Fire Authority to adopt without debate the recommendations and resolutions contained in the relevant reports for those items which have not been called.

**P 14.10 Reports**

To consider reports, including any exempt or confidential reports, and/or any reports back from any informal Member Working Groups.

**P 14.11 Consideration of any motion to exclude the press and public**

**P 14.12 Consideration of any other business**

To consider any other business specified in the summons or required by law to be dealt with.

**P 14.13 Referral of reports to the Authority (Panels only)**

In the case of Panels, to determine which reports (if any) are to be referred to the Authority.

**RULES OF DEBATE**

**15 Points of order or personal explanation**

15.1 A Member may raise a point of order and shall be heard immediately. A point of order shall relate only to an alleged breach of a Standing Order

or statutory provision and the Member shall first specify the Standing Order or statutory provision and the way in which they consider it has been broken.

- 15.2 With the leave of the Chairperson, a Member may make a statement by way of personal explanation which must be confined to some material part of a former speech by the Member at the same meeting of the Authority which has been misunderstood.

## **16 Motions and amendments**

- 16.1 A motion or an amendment to a motion shall not be discussed unless it has been proposed and seconded, and it shall, if required by the Chairperson, be put in writing and handed to the Monitoring Officer before it is further discussed or put to the meeting.

- 16.2 Notwithstanding Standing Order 16.1, a motion to adopt a report, or paragraphs of a report, of a Panel of the Authority shall (in the absence of an indication to the contrary) be deemed to have been moved by the Chairperson at the time at which they are presented. They need not be seconded.

### **16.3 The 'six month rule'**

At a meeting of the Authority, no motion or amendment shall be moved to rescind any resolution which was passed within the preceding six months or which is to the same effect as one which has been rejected within that period. Such a motion may be moved if it is recommended by a Panel or notice of such motion has been given by as many Members as will constitute a quorum of the Authority (currently six) on the summons to the meeting.

## **17 Definition of "amendment"**

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

- (i) to refer a subject of debate to a Panel for consideration or reconsideration;
- (ii) to leave out words;
- (iii) to leave out words and insert other words; or
- (iv) to add words,

but such omission, substitution or addition of words shall not have the effect of negating a motion before the Authority.

**17.2 Notice of amendments**

Amendments shall normally be accepted only if they are submitted to the Monitoring Officer in writing no later than 10am on the working day which precedes the meeting at which the motion is scheduled for consideration.

The Chairperson however has full discretion to accept any amendments proposed during the course of a meeting where they consider that the amendment may assist the meeting in resolving matters or otherwise arriving at a decision.

**18 Disposal of amendments**

18.1 Notice of any number of amendments may be given to the Monitoring Officer. Unless the Chairperson rules otherwise, those on related subjects shall normally be debated (but not voted on) together. Moreover unless the Chairperson rules to the contrary then amendments shall be voted on in reverse chronological order, with the amendment submitted first being considered last.

18.2 If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

18.3 If an amendment to refer a subject of debate to a Panel has been rejected and no other amendment is moved, then the Chairperson shall – unless a Member requires a vote – declare the motion to be carried.

**19 Alteration of motions**

19.1 A Member may, with the consent of the seconder and of the members present at the meeting of the Authority, signified without discussion, alter a motion or amendment if the alteration is one which could be made as an amendment.

**20 Withdrawal of motion or amendment**

20.1 A motion or amendment moved during a meeting may be withdrawn by the mover with the consent of the seconder and of the members present at the meeting of the Authority, which shall be signified without discussion, and no Member may speak upon it after the mover has obtained permission for its withdrawal.



**21 Closure of debate on a motion or amendment**

21.1 A Member who has not spoken on the matter before the meeting may at the conclusion of a speech by another Member move without comment "that the Authority proceeds to the next business" or "that the question is now put" or "that the debate is now adjourned" or "that the Authority now adjourns" on the seconding of which the Chairperson shall proceed as follows:

- (i) On a motion "to proceed to the next business", unless in the Chairperson's opinion the matter before the meeting has been insufficiently discussed (in which case the Chairperson may refuse to accept the motion), they shall put to the vote the motion "to proceed to next business".
- (ii) On a motion "to put the question", unless in the Chairperson's opinion, the matter before the meeting has been insufficiently discussed (in which case the Chairperson may refuse to accept the motion), they shall first put to the vote the motion "to put the question" and if it is passed, then before putting the original motion to the vote the Member shall be given a right of reply.
- (iii) On a motion to adjourn the debate or the meeting, if in the Chairperson's opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed at that meeting the Chairperson shall put the adjournment motion to the vote without giving any right of reply on that occasion.

**22 Voting**

22.1 The Authority shall vote upon all matters (except where the law otherwise provides) by show of hands, but on demand of four Members, the names of the Members present and their votes shall be taken by the Monitoring Officer and recorded in the minutes.

**P** 22.2 Where a Member makes a request immediately after a vote is taken at a meeting of the Authority, there shall be recorded in the minutes of that meeting whether the Member voted for the issue, against the issue or abstained from voting.

**P** 22.3 Where there is an equality of votes, the person presiding at the meeting shall have a second or casting vote.

**P 23 Voting on appointments**





- 23.1 Notwithstanding Standing Order 22, where there are more persons nominated for any position(s) to be filled by the Authority than there are vacancies, voting shall be by roll-call unless otherwise agreed and if more than half the total number of votes given are not cast in favour of one individual prospective appointee, the name of the person having the least number of votes shall be struck off the list and a fresh roll-call shall be taken, and so on until more than half the total number of votes are given in favour of one candidate. If two or more persons have equal votes, a vote shall be taken to decide whose name shall be struck off the list.
- 23.2 Standing Order 30.1 relating to confidentiality shall apply to appointments of Members and Officers.

### **QUESTIONS AND PETITIONS**

#### **24 Questions which Members may ask without notice**

- 24.1 A Member may, without notice, ask the Chairperson of a Panel or other Member introducing the report of a Panel any question upon an item of the report of the Panel before the Authority during the Authority's consideration of the item to which the question relates.

#### **25 Questions of which members of the public or Members must give notice (written questions)**

- 25.1 At each ordinary meeting of the Authority, a period of up to 15 minutes shall be set aside for questions to be put, normally to the Chairperson or Chairperson of the Panel which has relevant responsibilities. Questions will only be accepted from persons who live, work or study in East Sussex or the City of Brighton & Hove or from Members. Questions may be asked if they relate to a matter or matters for which the Authority has responsibility, or to its functions, as long as they affect the area of the Authority, or part of it, or the inhabitants of the area, or some of them, subject to the provisions in Standing Orders 25.2 – 25.6.
- 25.2 A question may not be asked which relates to:
- (i) An individual or the questioner's own particular circumstances:
  - (ii) A matter which is the subject of legal proceedings or an appeal to a tribunal or to a Government Minister or an investigation by the Local Government Ombudsman or the subject of an ethical standards complaint which has not been finally determined; or

- (iii) the appointment, promotion, dismissal, salary, superannuation or conditions of service or the conduct or ability of any individual employed by the Authority or the conduct of a Member of the Authority.
- 25.3 The Chairperson of the Authority shall be entitled to rule that a question shall not be answered because:
  - (i) The preparation of the answer would require the expenditure of a disproportionate amount of time, money or effort or
  - (ii) In the Chairperson's opinion it is improper, irrelevant or otherwise objectionable or is in the same or similar terms to a question asked at the previous meeting.
- 25.4 A question must be by way of a genuine enquiry and not a statement.
- 25.5 The wording of all questions from members of the public must be received by the Monitoring Officer in writing accompanied by the name and contact details of the questioner who must provide an indication of whether they live, work or study in the areas of East Sussex and/or Brighton & Hove.

The deadline for receipt of a question from a member of the public shall be no later than 12 noon on the second working day after the agenda is published. The deadline for receipt of a question from a Member shall be five clear working days before the meeting.
- 25.6 The Monitoring Officer may edit any question to secure reasonable brevity or to delete any part that appears to be defamatory or to delete improper or unbecoming language and shall inform the questioner accordingly. The Monitoring Officer shall return to the questioner, with an explanation, any question that cannot be dealt with under this Standing Order.
- 25.7 Questions shall be dealt with in the order in which they are recorded as having been received by the Monitoring Officer.
- 25.8 A questioner shall be limited to one question per meeting, subject to the right in Standing Order 25.9 to ask one supplementary question for clarification.
- 25.9 At the meeting of the Authority, when the agenda item is reached, questioners shall be invited to read their question that shall be answered orally by the Chairperson to whom it is addressed. If the questioner is

not present in person they shall be sent a written response. Questions shall be asked and answered without discussion. However, a questioner may ask one supplementary question solely for the purpose of clarifying a point in the answer given.

- 25.10 A copy of the questions that have been received, together with the names of the questioners, shall be circulated before the meeting at which the questions are to be asked to all Members and the media.
- 25.11 In the event of there being insufficient time to deal with all the questions of which notice has been received, a response to any unanswered question(s) shall be sent to the questioner(s) in writing by the appropriate Chairperson. A copy of the response shall be sent to all Members and to the media.
- 25.12 Details of the questions which have been asked, and by whom, together with the answers given, shall be recorded in the minutes of the Authority.

## **26 Petitions**

- 26.1 At each ordinary meeting of the Authority, a period of up to 15 minutes shall be set aside for the presentation of petitions by Members of the Authority or members of the public.
- 26.2 The presentation of a petition shall be limited to not more than three minutes, and shall be confined to reading out or summarising the request being made in the petition and indicating the number of the signatories.
- 26.3 Petitions must be submitted in writing to the Monitoring Officer no later than ten working days prior to the meeting, and will be accepted only where they are signed by at least 20 individuals living, working and/or studying in the areas of East Sussex or Brighton & Hove.
- 26.4 Petitions may only be presented if they a) relate to matters for which the Authority has responsibility or to its functions, and also b) they affect the area of the Authority, or part of it, or the inhabitants of the area, or some of them.
- 26.5 A petition must include a clear and concise statement covering the subject of the petition, what action the petitioners wish the Authority to take, and the name and contact details of the petition organiser as well as information to confirm that they live, work or study in one of the two areas.



- 26.6 Petitions shall be presented in the order in which they are notified to the Monitoring Officer. The Chairperson shall decide how the petition will be dealt with: whether it shall be debated at the meeting to which it is presented, or whether to refer the petition to the relevant Panel or a later Fire Authority meeting. This shall be recorded in the minutes. If the petition is referred to a Panel or a later Fire Authority meeting, the petitioner shall be invited to the meeting when the petition is to be considered but shall not be permitted to address the Panel or Fire Authority meeting.

### **IMPROPER CONDUCT OF MEMBERS AND PUBLIC**

**P 27 Chairperson may direct Member to discontinue speech**

- 27.1 The Chairperson shall call a Member to order for irrelevance, repetition, unbecoming language, improper motives, failure to address the Chairperson, reflections of a personal character on any Member or employee of the Authority, or any breach of order, and may direct such Member, if speaking, to discontinue the speech and be seated.

**P 28 Disorderly conduct**

- 28.1 If at a meeting any Member, in the opinion of the Chairperson notified to the Authority, misconducts himself by persistently disregarding the ruling of the Chairperson, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Authority, the Chairperson or any other Member may move "*that the Member named should not be heard further*", and the motion as seconded shall be put and determined without further discussion.
- 28.2 If the Member named continues to misconduct themselves after the motion under the foregoing paragraph has been carried, the Chairperson shall either move "*that the Member named should be required to leave the meeting*" in which case the motion shall be put and determined without seconding or discussion, or adjourn the meeting of the Authority for such period as the Chairperson shall consider expedient.
- 28.3 In the event of general disturbance or repeated interruptions which in the opinion of the Chairperson renders the orderly dispatch of business impossible, the Chairperson may forthwith adjourn the meeting in accordance with Standing Order 12.1.

**P 29 Disturbance by members of the public**

- 29.1 If a member of the public interrupts proceedings at any meeting, the

Chairperson shall warn that person of the consequences if they persist. If the interruption continues, the Chairperson shall order the person's removal from the meeting. In case of general disturbance or repeated interruptions in any part of the meeting space, the Chairperson shall order that part to be cleared of members of the public.

**P 30 Disclosure of Authority business**

- 30.1 All documents marked "confidential", all documents marked "exempt/confidential", all documents and matters which have been, or are intended to be, raised or discussed in the absence of the press and public, and all discussions on those occasions, shall be treated as confidential by Members.
- 30.2 Without the consent of both the Chief Fire Officer and the Monitoring Officer, a Member shall not disclose to any person not being a Member or an officer of the Authority any such business.

**PART 2 – GENERAL**

**31 Financial Regulations**

- 31.1 Such Financial Regulations as the Authority may from time to time make for regulating and controlling the finances of the Authority shall have the force and validity of Standing Orders (see Section D2).

**32 Custody of the Common Seal**

- 32.1 The Common Seal of the Authority shall be kept in a safe place in the custody of the Monitoring Officer.

**33 Sealing and signing of documents**

- 33.1 The Common Seal of the Authority shall not be affixed to any document unless the sealing has been authorised by a resolution of the Authority or of a Panel or by an officer acting under delegated powers. A resolution of the Authority or of such Panel which requires for its execution the sealing of any document shall be sufficient authority for the purpose.
- 33.2 The affixing of the Common Seal shall be attested by the Monitoring Officer or an officer authorised by the Monitoring Officer in writing for the purpose.
- 33.3 An entry of the sealing of each document shall be made in an online

register provided for that purpose, which shall provide a record of whether the Monitoring Officer or a named authorised officer was present at the sealing.

- 33.4 Where it is neither a legal requirement nor is it customary to affix the Common Seal, any person with sufficient specific or general delegated power from the Authority may sign on behalf of the Authority any document necessary to give effect to a decision of the Authority or of a Panel or officer acting under delegated powers.
- 33.5 Where any document will be a necessary step in legal proceedings on behalf of the Authority it shall be signed by the Monitoring Officer, or by an officer authorised in writing by either the Authority or the Monitoring Officer for that purpose.

#### **34 Inspection of documents**

- 34.1 Members may, for the purposes of carrying out their duties as Members but not otherwise, on application to the Monitoring Officer and in accordance with the Authority's Access to Information rules, inspect any document which has been considered by a Panel or by the Authority, and if copies are available shall on request be supplied for the like purposes with an electronic copy of such a document.
- 34.2 A Member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which they have a disclosable pecuniary interest or any other interest required to be disclosed under the Authority's Code of Conduct.
- 34.3 This Standing Order shall not preclude the Monitoring Officer from declining to allow inspection of any document which is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.
- 34.4 All reports made or minutes kept by any Panel shall be open for the inspection of any Member and the Monitoring Officer shall send to any Member who so requests all reports and papers (save those marked "exempt/ confidential", which shall be dealt with pursuant to Standing Order 30) submitted to any Panel.

#### **35 Inspection of land and premises, etc.**

- 35.1 Unless specifically authorised to do so by the Authority or a Panel, a Member shall not issue any order on behalf of the Authority or claim by virtue of membership of the Authority any right to inspect or to enter upon



any lands or premises which the Authority has the power or duty to inspect or enter.

**36 Interest of Members or Officers in appointments**

36.1 A candidate for any appointment under the Authority who knows that they are related to any Member or Officer of the Authority shall when making application disclose that relationship in writing. This requirement shall be included in any application form. A candidate who fails to disclose such a relationship shall be disqualified for the appointment and if appointed shall be liable to dismissal without notice.

36.2 Every Member and every Officer of the Authority shall disclose to the Chief Fire Officer and Chief Executive any relationship known to them to exist between themselves and any person known to be a candidate for an appointment under the Authority. The Chief Fire Officer and Chief Executive shall report to the Members or officers responsible for making the appointment details of the disclosure.

36.3 For the purpose of this Standing Order, persons shall be deemed to be related if they are family members. Family membership includes a partner (whether or not this is a formal marriage or civil partnership), a parent, a parent-in-law, a son or daughter, a stepson or stepdaughter, the child of a partner, a brother or sister, a partner's brother or sister, or a grandparent.

**37 Interest of Officers in contracts**

37.1 The Chief Fire Officer and Chief Executive shall record in a register to be kept for the purpose particulars of any notice given by an officer of the Authority, under the Local Government Act 1972, of any pecuniary interest in a contract and the register shall be made accessible on request during office hours for the inspection of any Member.

**P 38 Members' Interests**

38.1 Members shall observe the requirements of the Authority's Code of Conduct for Members, which is published in the Fire Authority's Constitution.

38.2 Without prejudice to the requirements of the Code of Conduct, any Member who (whether personally or by any partner or associate) or whose employer or company is about to act in any professional or private capacity in any matter in which the Authority has an interest, shall forthwith notify the fact to the Monitoring Officer.



**39 Canvassing of Members**

39.1 Canvassing of Members directly or indirectly for any staff appointment under the Authority shall disqualify the candidate concerned for such appointment. The purpose of this Standing Order shall be included in the form of application.

**40 Standing Orders to be made available to Members**

40.1 A copy of these Standing Orders shall be made available to each Member upon their appointment to the Authority.

**PART 3 - PANELS (COMMITTEES) OF THE AUTHORITY**

**P 41 Appointment of Panels**

41.1 At its annual meeting the Authority:

- (i) May resolve which Panels shall be appointed, what shall be the terms of reference of each of those Panels and of how many voting Members each Panel shall consist.
- (ii) May resolve that non-voting co-optees shall also be appointed to any such Panel.
- (iii) Shall specify the number of any such non-voting co-optees and the functions in relation to the Panel that each person so appointed may exercise.

41.2 The terms of reference of Panels as agreed from time to time are set out in Section B of the Constitution.

41.3 The Authority may at any time amend resolutions made under the previous paragraph.

41.4 No Panel may appoint a sub-panel to discharge any of the functions of the Authority without the approval of the Authority, except as provided by Standing Order 41.17.

41.5 Each Panel set up under this Standing Order shall continue to discharge the functions committed to it until the Authority resolves otherwise.

41.6 Each person appointed by their Group as a Member of such a Panel following the report submitted in accordance with para 41.7 shall



continue (as long as the appointment is not varied) to act as such for as long as that person has been appointed by the Authority, or until such time as the appointment is terminated by the Authority or that person resigns.

- 41.7 The Monitoring Officer shall submit a report to the Authority showing the allocation of seats which would in the Monitoring Officer's opinion best meet the requirements of the allocation of seats between political groups in accordance with the requirements of the Local Government and Housing Act 1989. Such report shall be submitted:
- (i) Whenever the Authority is required to review the allocation of seats on Panels between political groups; or
  - (ii) When the Authority resolves to carry out such a review; or
  - (iii) At such time as it appears proper to the Monitoring Officer to do so.
- 41.8 In the light of such a report, the Authority shall determine the allocation of seats to political groups.
- 41.9 Whenever an appointment of a voting Member to a Panel needs to be made or terminated in accordance with the wishes of the political group to whom the seat has been allocated, then the Monitoring Officer shall make or terminate the appointment upon receipt of such a request from a representative of the political group.
- 41.10 The Authority or its Panels may from time to time establish working groups/working parties/advisory bodies to provide informal input on such specific topic(s) within the remit of the Authority or Panel setting it up as it directs. Such working groups shall have a membership drawn from Members and shall perform an advisory function. They will not comply with the rules on political balance and will provide advisory input only. The proceedings of any such group shall be reported to the Panel that established it on a regular basis. The group may make recommendations or otherwise take a view on matters it has been directed to consider. Neither the Authority nor any of its Panels may delegate any of its functions to any such group.
- 41.11 The Authority or the relevant Panel may fix the date, time and place of ordinary meetings of Panels, and the Chief Fire Officer may postpone or cancel any meeting with the prior agreement of the Chairperson of the Panel.



- 41.12 The Chairperson or Vice-Chairperson of the Panel may call a special meeting of the Panel at any time.
- 41.13 The Authority may appoint, from amongst its voting Members, a Chairperson and a Vice Chairperson for each Panel.
- 41.14 If no appointments have been made by the Authority under Standing Order 41.13, then the Panel at its first meeting after the annual meeting of the Authority or in the case of a vacancy at any meeting shall elect from amongst its voting Members a Chairperson and may elect a Vice-Chairperson.
- 41.15 In the absence of the Chairperson or Vice Chairperson of a meeting of a Panel, those voting Members present shall elect a person from amongst their number to preside over the meeting.
- 41.16 If it is necessary for a Chairperson to be elected, the Monitoring Officer shall invite nominations and shall exercise the powers of the Chairperson in order to regulate that process.
- 41.17 The Scrutiny & Audit Panel may appoint a Standards Hearing Panel to deal with complaints referred to the Authority for determination. Standing Orders 41.5, 41.6 and 41.11 to 41.16 shall apply to any such Panel with the substitution of the word 'sub-panel' for 'Panel' and 'Standards Scrutiny & Audit Panel' for 'Authority' in each case.