

Standing Orders

Minor amendments approved by the Clerk in January 2022.

Contents

Clause	Title	Page
1	Composition of the Authority	2
2	Termination of Membership	2
3	Filling of Vacancies	2
4	Notice of Appointment or Termination.....	3
5	Failure to Attend Meetings	3
6	Validity of Acts	3
7	Member Code of Conduct.....	3
8	Annual Meetings	3
9	Ordinary Meetings.....	3
10	Extraordinary Meetings	3
11	Time and Place of Meetings	4
12	Notice of Meetings	4
13	Order of Business to be Transacted	4
14	Questions.....	5
15	Motions	5
16	Chair and Vice-Chair.....	6
17	Quorum.....	6
18	Voting and Casting of Votes	6
19	Record of Attendance	7
20	Minutes	7
21	Rules of Debate	7
22	Speeches.....	8
23	Meetings open to Press and Public.....	9
24	Disorder	10
25	Appointment of Committees or Panels.....	10
26	Member Code of Conduct.....	<u>11</u>
27	Gifts and Hospitality	11
28	Seal.....	11
29	Appointments.....	11
30	Members' Rights of Inspection.....	11
31	Canvassing	11
32	Suspension, Variation or Revocation of Standing Orders	12
33	Urgent Decisions.....	12
34	Interpretation.....	12

Composition of the Authority

- 1.1 The West London Waste Authority (“the Authority”) is the statutory body which is responsible for disposal of waste within the administrative areas of the Councils of the London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond-upon-Thames (“the constituent councils”).
- 1.2 The Authority is appointed under powers set out in the Local Government Act 1985. The composition of the Authority and its rules of procedure are laid down in that Act, in the Waste Regulation and Disposal (Authorities) Order 1985, and in the Local Government Act 1972.
- 1.3 Each constituent council appoints one councillor to be a Member of the Authority. No substitution of Members is permitted except through the replacement processes described in these Standing Orders.

2 Termination of Membership

- 2.1 The term of office of Members is normally until the next annual meeting of the constituent council which made the appointment, unless the appointment terminates earlier by virtue of the provisions set out below.
- 2.2 A constituent council may at any time terminate the appointment of a Member appointed by it to the Authority and appoint another Member in his/her place. Where a constituent council exercises this power, it shall give written notice to the Authority of the new appointment and of termination of the previous appointment. The new appointment shall take effect, and the previous appointment shall terminate, at the end of one month from the date on which the notice is given.
- 2.3 When a constituent council decides to replace a Member following local elections then notice may be given not later than seven days after the council’s annual meeting and the appointment shall terminate and the new appointment shall take effect upon the notice being given.
- 2.4 The appointment of a Member to the Authority by a constituent council shall terminate if he/she ceases to be a Member of the constituent council. Where a Member’s appointment ends by virtue of this sub-paragraph, the council shall notify the Authority as soon as possible.
- 2.5 A Member may at any time resign his or her seat by notice in writing to the proper officer of the constituent council. The resignation will take effect when it is communicated to the Authority.

3 Filling of Vacancies

- 3.1 Where a vacancy occurs among the Members appointed by a constituent council, that council shall not later than one month after the relevant date:
 - 3.1.1 appoint another Member to fill the vacancy; and
 - 3.1.2 notify the Authority of the appointment, which shall take effect upon receipt of the notification by the Clerk.

[N.B. Detailed rules concerning the filling of casual vacancies can be found in Section 32 of the Local Government Act 1985].

4 Notice of Appointment or Termination

- 4.1 As soon as practicable after receiving notice from a constituent council that it has made or terminated an appointment to the Authority, the Authority shall give public notice of the appointment or termination and the name of the Member concerned.

5 Failure to Attend Meetings

- 5.1 If a Member of the Authority fails to attend any meeting of the Authority for a period of six months from the date of his/her last attendance, he/she shall cease to be a Member of the Authority, unless failure to attend was for some reason approved by the Authority before the expiry of the six month period. Where Membership terminates as a result of such failure, the Clerk shall immediately notify the proper Officer of the constituent council which shall appoint another Member to fill the vacancy (see standing order 3.1 above).

6 Validity of Acts

- 6.1 If a Member appointed to the Authority should be found to be disqualified, then his/her acts and proceedings will be as valid and effectual as if he/she had been qualified.

7 Member Code of Conduct

- 7.1 All Members of the Authority shall be bound by the Authority's Member Code of Conduct.

8 Annual Meetings

- 8.1 Each year the Authority must hold an annual meeting on a day between 1st March and 30th June (both inclusive).

9 Ordinary Meetings

- 9.1 The Authority may convene other ordinary meetings as it considers necessary.

10 Extraordinary Meetings

- 10.1 The Chair of the Authority may call an extraordinary meeting of the Authority at any time.
- 10.2 If the Chair refuses to call an extraordinary meeting of the Authority after a written request for such a meeting signed by two Members has been presented to him/her, or if without refusing, the Chair does not call an extraordinary meeting within 7 days after the request has been presented, then two Members of the Authority either on that refusal or once the seven days have expired, may call an extraordinary meeting of the Authority.

10.3 The Clerk acting as Monitoring officer to the Authority may call an extraordinary meeting at any time.

11 Time and Place of Meetings

11.1 The Authority shall determine the dates, times and venues of its meetings.

12 Notice of Meetings

12.1 Notice of the date, time and place of the Authority's meetings shall be published at the Authority's offices and at the venue where the meeting is to be held, if different. Where a meeting is called by two Members of the Authority under Standing Order 10.2 above, the notice shall be signed by two Members and shall specify the business to be considered.

12.2 The Clerk shall send notices of meetings to each of the constituent councils.

12.3 All meetings must be summoned by the Clerk issuing written details of the date, time and venue of the meeting, and the business to be discussed. This must be sent to Members, either by post or by email at least five clear days before the meeting is to be held. Members must notify the Clerk of the address at which the summons should be delivered; this may be their home or business postal or email address, or another nominated place.

12.4 Even if some Members do not receive a summons, the meeting will still be valid.

13 Order of Business to be Transacted

13.1 No business may be transacted at a meeting of the Authority other than that specified on the agenda, except in the case of business required by statute to be dealt with at the annual meeting.

13.2 Except at the annual meeting when the first business to be dealt with shall be the appointment of the Chair and Vice-Chair of the Authority, the order of business at ordinary and extraordinary meetings shall be:

13.2.1 To choose a person to preside if the Chair and Vice-Chair are absent.

13.2.2 Except at an extraordinary meeting convened under Standing Order 10 to approve the minutes of the last ordinary meeting of the Authority and those of any special meeting held subsequently.

13.2.3 To deal with business required by statute.

13.2.4 To consider reports from officers of the Authority.

13.2.5 To deal with any other business set out in the agenda.

13.2.6 To deal with any written questions or motions submitted under Standing Orders 14 and 15.

13.2.7 If necessary to authorise the sealing of any document.

13.2.8 To deal with any urgent business brought forward with the agreement of the Chair.

13.3 A meeting of the Authority may resolve to vary the order of business (other than the appointment of the Chair and Vice-Chair at the annual meeting).

14 Questions

14.1 Any Member of the Authority may at a meeting ask a formal question of the Chair, or in his/her absence the Vice-Chair, provided it has been previously notified to the Clerk by not later than 12 noon on the normal working day preceding the meeting. The Chair or Vice-Chair may decline to give an oral answer if the information cannot be provided in the time available. It shall then be considered a sufficient reply if a written answer is circulated to Members in writing.

15 Motions

15.1 Any Member of the Authority may give written notice of a motion a copy of which must be delivered at least seven clear days before the meeting to the Clerk. The motion shall be included in the agenda provided that it is relevant to the powers and duties of the Authority and is not, in the opinion of the Chair or in his/her absence the Vice-Chair, scurrilous or improper.

15.2 The following motions may be moved without notice at a meeting of the Authority:-

15.2.1 Appointment of Chair, Vice-Chair or person to preside.

15.2.2 Relating to the accuracy of the minutes, order of business, next business, adjournment of the meeting and, after three speeches, that the question be put to a vote.

15.2.3 Appointment of a committee.

15.2.4 Amendments to motions or that leave be given to withdraw a motion.

15.2.5 Related to matters appearing in, or missing from reports of officers.

15.2.6 The sealing of documents.

15.2.7 Giving consent of the Authority when required by Standing Orders.

15.2.8 Suspension of Standing Orders.

15.2.9 To exclude the public and press if permitted to do so pursuant to 100A of the Local Government Act 1972.

15.2.10 Naming or excluding a Member under Standing Order 24.

15.3 The Chair may require any such motion to be put in writing.

- 15.4 No motion to rescind any resolution passed within the preceding six months and no motion or amendment to the same effect as one which has been rejected within the preceding six months shall be proposed unless notice bearing the names of at least 3 Members of the Authority is given under Standing Order 15.1. When the Authority has disposed of any such motion, it shall not be open to any Member to propose a similar motion within a six-month period.
- 15.5 This Standing Order shall not apply to a decision of the Authority made during consideration of business arising from the reports of officers or to recommendations of any committee of the Authority.

16 Chair and Vice-Chair

- 16.1 The Authority shall appoint annually a Chair and Vice-Chair from its Members as the first item of business at the annual meeting.
- 16.2 Where a casual vacancy occurs in the office of Chair, an appointment to fill the vacancy shall be made at the next ordinary meeting of the Authority.
- 16.3 The Chair shall preside over meetings of the Authority.
- 16.4 In the Chair's absence, the Vice Chair shall preside.
- 16.5 If the Chair and Vice-Chair are both absent, then Members shall choose another Member to preside for the duration of the meeting.
- 16.6 The Vice-Chair or another Member may exercise the powers of the Chair in these Standing Orders when presiding at a meeting.

17 Quorum

- 17.1 For business to be transacted by the Authority at least three Members must be present.
- 17.2 If, thirty minutes after the appointed start time of the meeting, there is no quorum, or if the meeting should become inquorate once it has commenced, then the meeting shall be adjourned and any remaining business shall be postponed to a meeting called to deal with the outstanding business or to the next ordinary meeting.

18 Voting and Casting of Votes

- 18.1 All decisions of the Authority shall be reached by voting. A simple majority of the Members present and entitled to vote shall be enough to carry any decision unless the matter under discussion requires a specific majority by law. If at any meeting neither the Chair nor the Vice Chair is present and there is an equality of votes in choosing the Member to preside at the meeting, then the matter shall be decided by lot.
- 18.2 If the voting on any matter is equal, then the Chair or the person presiding over the meeting may exercise a second or casting vote.

18.3 The normal method of voting shall be by show of hands. Any two Members of the Authority may request before the vote is taken that the vote be recorded, so as to show whether each Member present and voting voted for or against the question.

18.4 A Member's abstention or dissent from a decision shall be recorded in the minutes if the Member so requests.

19 Record of Attendance

19.1 The names of all Members present at a meeting of the Authority shall be recorded.

20 Minutes

20.1 Minutes shall be kept to record all decisions taken by the Authority and any committee or panel appointed by it. The minutes must be submitted to the next following ordinary meeting. When the minutes have been confirmed as a correct record, they must be signed by the Chair or Member presiding as a correct record.

20.2 Only two areas of discussion shall be permitted on the minutes of a previous meeting. These are:

20.2.1 To challenge their accuracy. Such a challenge may be made by any Member of the Authority and must be done in the form of a motion.

20.2.2 To receive information on items contained in the minutes.

20.3 Copies of minutes of the meetings of the Authority shall be sent to each constituent council.

21 Rules of Debate

21.1 A motion must be moved and seconded although the seconder may reserve his/her right to speak which must however be exercised before the right of reply has itself been exercised.

21.2 Motions or amendments which are not seconded will not be debated.

21.3 If required by the Chair, amendments must be put in writing, and given to the Clerk or his/her representative.

21.4 Once an amendment has been proposed and seconded it can only be withdrawn or altered if the meeting agrees to do so, without debate.

21.5 To be valid, an amendment to a motion must:

21.5.1 be relevant to the motion; and

21.5.2 propose to add or insert words; or

- 21.5.3 propose to leave out words; or
- 21.5.4 propose to leave out some words and add others;
- 21.5.5 not introduce a new proposal or negate the contents of the original motion.
- 21.6 Any number of amendments may be taken on a motion, subject to the following rules:
 - 21.6.1 Only one amendment can be dealt with at a time.
 - 21.6.2 A Member may propose up to two amendments on any motion, unless the motion is to receive and adopt a Committee report and recommendation. In this case, there is no limit.
 - 21.6.3 If an amendment has been defeated, no other amendments which would have the same effect as the amendment which is lost can be proposed.
 - 21.6.4 If an amendment is carried, the motion under debate becomes the substantive motion, as amended.
- 21.7 A vote against an amendment does not constitute approval of the original or substantive motion. This must be voted on separately.
- 21.8 A Member may on the conclusion of a speech move “next business” or, after three speeches, that “the vote be put” which, if seconded, the Chair may in his /her discretion put to the meeting and if carried the mover of the original motion may exercise his right of reply.
- 21.9 The proposer of the motion may reply at the close of debate on his motion or at the close of the debate upon any amendment. A person who moves an amendment has no right of reply.
- 21.10 If a motion to adjourn the meeting is moved it may only be put at the discretion of the Chair. If put and carried the meeting shall stand adjourned to a later time, or another day, or the next ordinary meeting and the business remaining to be transacted shall be dealt with at the adjourned meeting which shall for that purpose be deemed a continuation of the original meeting.

22 Speeches

- 22.1 Speeches must be directed to the Chair and either to the question under discussion or to a personal explanation or point of order.
- 22.2 A Member shall not speak on any matter for longer than five minutes without the consent of the meeting.
- 22.3 If two or more Members indicate that they wish to speak, the Chair shall call on one to speak first.
- 22.4 A Member who has spoken on a motion may not speak again while it is the subject of debate, except:

- 22.4.1 to speak once on an amendment moved by another Member;
 - 22.4.2 move a further amendment if the motion has been amended since he/she last spoke;
 - 22.4.3 if his/her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
 - 22.4.4 in exercise of a right of reply [N.B. only the mover of a motion has a right of reply to an amendment or on the main issue].
- 22.5 Point of Order/Personal Explanation. A Member may raise a point of order or personal explanation and shall be entitled to be heard. A point of order must relate to a standing order or statutory provision and the Member shall specify the breach in question. A personal explanation shall be confined to the Member's speech earlier in the debate and clarification of a particular point that may have been misunderstood.

23 Meetings open to Press and Public

- 23.1 All meetings of the Authority and any committees or panels set up by it will be open to the Press and Members of the public, subject to the provisions below. Accommodation will be made available for them as far as practicable in the place where the meeting is being held, and they must only occupy this accommodation.
- 23.2 In accordance with the provisions of s.100A of the Local Government Act 1972, the Authority, and any committees or panels set up by it, may pass a resolution to exclude the press and public from all or part of a meeting if:-
 - 23.2.1 publicity would be prejudicial to the public interest because the business being transacted is confidential or exempt as defined in S100I of the Act and with the grounds for exclusion set out in the resolution.
 - 23.2.2 the conduct of the press or the public is disorderly and is inhibiting the holding of the meeting, or is likely to be disorderly and inhibit the holding of the meeting.
- 23.3 The right of the press and the public to attend meetings is subject to the condition that they do not interrupt the proceedings. If they do, the Chair of the meeting or the person presiding may warn those concerned that if they continue to behave in a disruptive way, they will be removed from the meeting. If the warning has no effect, the Chair or Member presiding has the right to have those concerned removed from the room where the meeting is taking place.

The public will be allowed to record, video or photograph meetings, in accordance with the Openness of Local Government Bodies Regulations 2014.

If items are to be considered by the Authority, or any committees or panels set up by it and they appear to come within the criteria set out in the Local Government (Access to Information) Act 1985 as business which may be dealt with in private, they should be circulated to Members on papers marked "Not for Publication" and separately identified from the other papers for the meeting. Such papers shall be considered confidential.

24 Disorder

24.1 If in the Chair's opinion, Members are behaving in a disorderly manner or obstructing business at meetings, the following procedure will apply:

24.1.1 If a Member persistently disregards the ruling of the Chair that the behaviour complained of should stop, any other Member may move that the Member named should leave for the remainder of the meeting.

24.1.2 If this motion is proposed and seconded, it must be dealt with immediately without discussion.

24.1.3 If the motion is carried, the Member named must obey the instruction. If he or she does not obey the instruction, the Chair can order the removal of the Member from the meeting.

24.1.4 The Chair also has the right to declare the meeting adjourned.

24.2 If any Member considers that business to be dealt with at a meeting is of an offensive or an objectionable nature, he/she can propose a motion, without notice, that the business should not be dealt with. If a majority of Members present vote in favour of the motion, then the business objected to will not be discussed further.

24.3 Motions which the Clerk rules to be defamatory may not be included in the agenda or dealt with at the meeting.

24.4 If a Member of the public interrupts the proceedings at any meeting, the Chair shall warn him/her. If he/she continues with the interruption, the Chair shall order his/her removal from the place of the meeting. In the case of general disturbance in any part of the place of the meeting open to the public, the Chair shall order that that part shall be cleared.

25 Appointment of Committees or Panels

25.1 The Authority may appoint from its own Membership a committee or panel to deal with a particular area of work, consisting of such Members as it may think fit for any purpose either general or particular, which in the opinion of the Authority would be better managed and regulated by means of a committee or panel and may delegate any of its functions (except any power of borrowing money or issuing a levy) to any committee or panel so appointed.

- 25.2 When a committee or panel is set up, the Authority shall determine its Membership, Chair, terms of reference and its period of operation. Any such committee or panel shall be quorate where two Members of the Authority are in attendance, unless the terms of reference states otherwise. Once set up the committee or panel may make minor revisions to its terms of reference and appoint or co-opt additional non voting Authority or Independent Members, unless the terms of reference state otherwise.
- 25.3 The committee or panel shall report its proceedings to the next ordinary meeting of the Authority and the Chair of the committee or panel shall move the reception of its report and the adoption of any recommendations. There may be discussion on the report or debate on its recommendations and the Chair of the committee or panel shall have a right of reply.
- 26 Member Code of Conduct
- 26.1 Members should comply with the Member Code of Conduct including in relation to declaration of Disclosable Pecuniary Interests.
- 27 Gifts and Hospitality
- 27.1 Members should comply with the rules on gifts and hospitality as set out in the Member Code of Conduct.
- 28 Seal
- 28.1 Where a decision of the Authority or an officer requires a document under seal for it to be implemented, the seal of the Authority may be affixed on the authority of the Clerk. The Clerk shall keep a register of all documents sealed.
- 29 Appointments
- 29.1 A Member of the Authority may visit the Authority's establishments by identifying him/herself to the manager or supervisor; but unless authorised to do so by the Authority in writing certified by the Clerk, shall not issue any order respecting any works which are being carried out by or on behalf of the Authority.
- 30 Members' Rights of Inspection
- 30.1 A Member of the Authority may for the purposes of fulfilling their duty as a Member inspect any document in the custody of the Authority, subject to this being lawful pursuant to the Data Protection Act 1988.
- 31 Canvassing
- 31.1 It is forbidden to canvass Members for an appointment to any office or employment with the Authority. Candidates who do so will be disqualified, or, if already appointed, will be liable to dismissal without notice.
- 31.2 The ban on canvassing Members must be stipulated in the application form.

- 31.3 If a person applying to the Authority for a job is related to a Member or senior officer of the Authority, they must give written notice of this fact on their application form. The officer responsible for making the appointment must pass this information to the Clerk.
- 31.4 Failure to disclose any relationship will mean that the candidate is disqualified, or, if already appointed, may mean dismissal without notice.
- 31.5 If a Member or senior officer is aware that a person to whom they are related is applying for a job, they must make this known to the Clerk.
- 31.6 In this Standing Order, applicants will be deemed to be related to Members or officers if they are parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or officer of the Council; or the partner of such persons.
- 31.7 The requirement to disclose relationships to Members or senior officers must be included in the application form.

32 Suspension, Variation or Revocation of Standing Orders

- 32.1 A Standing Order which is of statutory origin may not be rescinded, suspended, or altered, except by express statutory authority. No other Standing Order shall be suspended except in pursuance of a notice of motion of which notice has been given under Standing Order 15.2.
- 32.2 Any motion to vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned to the next ordinary meeting of the Authority. This paragraph shall not apply to any variation or revocation of Standing Orders which is proposed by the Clerk and included as an item of business in the notice of any meeting of the Authority.
- 32.3 A copy of these Standing Orders shall be given to each Member of the Authority and to each constituent council and will be published on the Authority's website.

33 Urgent Decisions

- 33.1 Where if, between normal meetings of the Authority, it is necessary for an urgent and prompt decision to be taken in a matter normally decided by the Authority (including a decision beyond the approved budget), which will not admit of delay, then such a decision shall be delegated to the Managing Director or Clerk in consultation with the Chairman, or Vice-Chairman in the Chairman's absence, and in appropriate cases the Clerk and/or Treasurer, before exercising the delegation. Such action, under such delegation, shall be reported to the next following meeting of the Authority.

34 Interpretation

- 34.1 The proper officer for the purposes of the Local Government Act 1972 shall be the Clerk to the Authority.

- 34.2 The Clerk to the Authority is appointed as Monitoring Officer for the purposes of the Local Government and Housing Act 1989.
- 34.3 Where these Standing orders require notices to be given by or to the Authority, they shall be given to or by the Clerk.
- 34.4 The Treasurer to the Authority is appointed to administer the financial affairs of the Authority under Section 73 of the Local Government Act 1985.