

**LANCASHIRE POLICE AUTHORITY**

**CONSTITUTIONAL AND PROCEDURAL STANDING ORDERS**

<b>1.</b>	<b><u>MEETINGS</u></b>	
1.1	The administrative year shall commence on the 1st April.	Administrative Year
1.2	The Authority shall hold an annual meeting between the 1st April and the 30th June each year.	Annual Meeting
1.3	The programme of scheduled meetings for the Authority and its Committees shall be determined annually by the Authority and additional meetings of the Authority may be held as determined by the Authority, or at the discretion of the Chair.	Scheduled and Additional Meetings
1.4	The Chair may at any time call an Extraordinary Meeting of the Authority.	Extraordinary Meetings
1.5	Three Members of the Authority may call an Extraordinary Meeting of the Authority if the requisition for such a Meeting, signed by three Members of the Authority, has been presented to the Chair of the Authority and either he/she has refused to call a meeting or, without him/her so refusing, no Extraordinary Meeting has been called within 7 days of the presentation of the requisition.	
<b>2.</b>	<b><u>MATTERS RESERVED TO THE POLICE AUTHORITY</u></b>	
2.1	<p>The following matters shall be reserved for decision by the Police Authority:</p> <p>(a) the levying or issuing of a precept, or the borrowing of money, and the approval of the budget and supplementary estimates;</p> <p>(b) arrangements for the proper administration of the Authority's financial affairs;</p> <p>(c) matters of major policy or of new principle including such matters arising out of any Committee's terms of reference;</p> <p>(d) the making of Standing Orders and Financial Regulations and any matter reserved to the Authority under those Standing Orders and Financial Regulations;</p>	Reserved Matters

	<p>(e) The Authority's Annual Policing Plan, Annual Efficiency Plan, Three year Strategic Plan, and Annual Report;</p> <p>(f) The Annual Human Resources Plan and the Annual Training Plan.</p> <p>(g) Policy decisions relating to any complaint made against a Chief Police Officer.</p>	
<b>3.</b>	<b><u>COMMITTEES</u></b>	
3.1	<p>(1) The Authority may appoint and approve terms of reference for such Committees and Sub-Committees as it deems appropriate and may, subject to Standing Order 2.1, delegate specific powers of decision to Committees and Sub-Committees.</p> <p>(2) Committees may make recommendations to the Authority in respect of matters within their terms of reference where power of decision is not so delegated.</p> <p>(3) The Authority may, on the recommendation of a Committee, give directions to any Committee in relation to the exercise of delegated functions.</p> <p>(4) It shall be open to any Committee to submit a matter to the Authority for decision notwithstanding that the matter may fall within the powers delegated to the Committee.</p>	Appointment of Committees and Sub-Committees
3.2	<p>Committees shall submit the Minutes of their meetings to the following scheduled meeting of the Authority.</p> <p>Other than where such Minutes contain specific recommendations for decision by the Authority, they are submitted for the information of the Authority, except that Members may ask questions on any matter contained in the Minutes.</p>	Submission of Minutes by Committees
3.3	<p>Where Minutes contain specific recommendations for decision by the Authority, a copy of the full report relating to the matter for decision shall be presented to the Authority.</p>	
3.4	<p>Meetings of Committees and Sub-Committees other than those determined under Standing Order 1.3 shall be held at the discretion of the Chair of the Committee or Sub-Committee concerned, in consultation with the Chief Executive.</p>	Additional meetings of Committees and Sub-Committees

3.5	The adoption of the recommendations of a Committee by the Authority shall be moved by the Chair of the Committee, or in the absence of the Chair by the Vice-Chair, or in the absence of both, by the person chairing the Authority's meeting and shall be seconded.	Recommendations to the Police Authority
3.6	The Authority may disapprove, amend or refer back for further consideration any recommendation of a Committee relating to a matter for decision by the Authority.  Members of the Authority may ask questions regarding any matter contained in the Minutes of a Committee.	
<b>4.</b>	<b><u>APPOINTMENT OF CHAIRS AND VICE-CHAIRS</u></b>	
4.1	The Authority shall, at its annual meeting:-  (1) as the first item of business, elect one of its Members to the office of Chair.  (2) elect one of its Members to the office of Vice Chair.  (3) appoint Members to each Committee and Sub-Committee.  (4) appoint a Chair and Vice-Chair for each Committee and Sub-Committee.	Chair and Vice-Chair    Appointments to Committees and Sub-Committees
4.2	The Vice Chair will undertake all duties and responsibilities of the Chair in the Chair's absence, or during a vacancy in the office of Chair, sufficient to be able to continue the essential business of the Authority.	Vice Chair
4.3	No member may be Chair of more than one Committee.	
<b>5</b>	<b><u>CONDUCT OF AUTHORITY AND COMMITTEE MEETINGS</u></b>	
5.1	Reference to the Authority in this Standing Order shall be construed as applying also to all Committees and Sub-Committees appointed by the Authority.	Application of Standing Order 5 to Committees and Sub-Committees
5.2	The Chair shall preside at meetings.	Chairing of Meetings
5.3	In the absence of the Chair at any meeting, the vice chair shall preside at the meeting. In the absence of both the Chair and Vice- Chair, the Members present shall, as their first item of business, appoint one of their number to be Chair of the meeting.	

5.4	The Quorum for a meeting shall be one quarter of the membership (or to the nearest whole number above such number).	Quorum
5.5	In the event of a meeting being inquorate, it shall stand temporarily adjourned for 15 minutes and if, thereafter, there is still not a quorum the meeting shall stand finally adjourned. At the point of adjournment, or subsequently, the Chair may agree arrangements for the meeting to be reconvened.	
5.6	<p>(1) The order of business for a meeting shall be determined by the agenda for that meeting.</p> <p>(2) The items of business for a meeting will be arranged under the headings of Items for Decision and Items for Information. At meetings of the Full Authority, Minutes of Committees will be arranged under the heading of Minutes of Committees.</p> <p>(3) With the exception of the appointment of Chair, the order of business as set out in the agenda may be varied by the Chair at his/her discretion or by resolution of the Authority.</p> <p>(4) An item of business not included in the Agenda shall only be considered where by reason of special circumstances which shall be specified in the Minutes, the Chair of the meeting decides that the item should be considered at the meeting as a matter of urgency.</p> <p>(5) Members may submit requests to the Chief Executive to the Police Authority for items to be included in an agenda and the Chief Executive will decide whether or not an item should be included. Save in exceptional circumstances, which are dealt with under Standing Order 5.6(4), requests are to be submitted as early as possible, and not less than 11 working days prior to the relevant meeting.</p>	<p>Order of Business</p> <p>Decision and Information items</p> <p>Urgent Business</p> <p>Request for items by Members</p>
5.7	<p>(1) Motions relating to items on the agenda must be moved and seconded and will then be open to debate.</p> <p>(2) Any Member may second a motion or amendment, reserving the right to speak later in the debate.</p>	Conduct of Meetings/Motions
5.8	Members, when speaking, must confine themselves to the motion or amendment then under discussion.	
5.9	Subject to Standing Orders 5.10 and 5.11, a Member may not	

	be interrupted whilst speaking or asking a question.	
5.10	If the Chair acts to call a Member to order or to direct the course of the proceedings, the Member speaking shall give way.	Calls to Order
5.11	A Member may raise a point of order at any time. A point of order may only relate to an alleged breach of a Standing Order or the law. The Member must indicate the Standing Order or law and the way in which they consider it has been breached. Upon a point of order being raised, the Member speaking shall give way to allow the Chair to give a decision.	Points of Order
5.12	Where an amendment to the motion is moved and seconded, this will be debated and, if carried upon being put to the vote, will replace the original motion as the substantive motion.	Amendments
5.13	An amendment shall be either:  - to leave out words  - to leave out words and insert or add others  - to insert or add words.  Such omission, insertion or addition of words shall not have the effect of negating the motion under consideration.	
5.14	When an amendment is moved and seconded, no other amendment shall be taken into consideration until the first amendment has been disposed of.	
5.15	Further amendments may be moved and seconded, providing that any such further amendment is not inconsistent with the alteration of the original motion that has been carried.	Subsequent Amendants
5.16	The mover of the motion shall, if no amendment is moved and adopted, have the right of reply at the close of the debate; but in so doing shall not introduce a new matter not included in the motion.	Reply at Close of Debate
5.17	The mover of an amendment shall have no right of reply except when the amendment is carried and becomes the substantive motion.	
5.18	After reply, the motion shall be put from the Chair without further debate.	Motion to be put

5.19	A motion or amendment, once seconded, may be withdrawn only with the permission of the Authority who will decide upon the question of withdrawal without debate.	Withdrawal of Motion or Amendment
5.20	Unless otherwise agreed by the Authority in a particular instance, voting shall be by show of hands and decided by a simple majority.	Voting
5.21	The Chair, or person presiding at a meeting, shall have, in case of equality of votes, a second or casting vote.	Casting Vote
5.22	Where any Member so requires immediately following a vote, it shall be recorded in the minutes of the meeting whether that Member voted for or against the question or abstained from voting.	Recording of Vote
5.23	A member may require his/her dissent from a decision of the Authority to be recorded in the minute relating to that decision.	Dissent from Decision
5.24	<p>(1) If any Member has a personal interest, within the terms of the Members' Code of Conduct, in any matter under consideration at a meeting of the Authority or a Committee at which the matter is considered, must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.</p> <p>(2) Where a Member has a personal interest which is one that a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Member's judgement in the public interest, provided that the interest does not fall within the exceptions set out in the Local Code of Conduct, and subject to paragraph (4) of this Standing Order, he/she must withdraw from the meeting whenever it becomes apparent the matter is being considered at that meeting, unless he/she has obtained a dispensation from the Authority's Audit and Standards Committee.</p> <p>(3) Any disclosure, withdrawal or dispensation under this Standing Order shall be recorded in the Minute relating to that Item.</p> <p>(4) At any meeting of the Police Authority, members who have a prejudicial interest in any business of the Authority, have the same right as members of the public as set out in Standing Order 5.31, to make representations in the form of a statement in relation to any specific item on Part I of the agenda. They do not have the same right as members of the public to ask questions in relation to any specific item.</p>	<p>Members interests</p> <p>Exclusion of Members with a prejudicial interest</p> <p>Representations from Members with prejudicial interests</p>

5.25	<p>A Member may, at the conclusion of a speech of another Member, move without comment:</p> <p>(a) "That the question be now put to the vote",  (b) "That the debate be now adjourned",  (c) "That the Authority/Committee proceed to the next item of business", or  (d) "That the Authority/Committee now adjourn",</p> <p>on the seconding of which the Chair shall (if in his/her opinion the question before the meeting has been sufficiently discussed or the circumstances justify a motion, and subject to the right of reply under Standing Order 5.16) put that motion to the vote.</p> <p>If it is carried:</p> <p>(a) the question before the meeting shall be put to the vote;  (b) the subject of debate shall not be further discussed at the meeting;  (c) the subject of debate shall be deemed to be disposed of; or  (d) the meeting shall stand adjourned,</p> <p>as the case may be.</p>	Closure of Debate
5.26	<p>Members of the Authority shall be entitled to attend meetings of Committees and Sub-Committees other than those on which they are placed, but shall not take part in any proceedings without the consent of the Committee or Sub-Committee nor in any case vote.</p> <p>However, the Chair of the Authority can attend all Committees and Sub-Committees as an ex-officio Member who is entitled to attend all meetings, take part in proceedings and in all cases vote.</p>	Attendance at Committees and Sub-Committees
5.27	<p>(1) Agendas for Committees and Sub-Committees shall, subject to (2) below, be furnished only to Members of such Committees and Sub-Committees. Reports contained in Part II of Agenda for Committees and Sub-Committees shall be marked as "Private and Confidential not for publication by virtue of paragraph (.) of Part I of Schedule 12A to the Local Government Act 1972".</p> <p>(2) Members not serving on such Committees or Sub-Committees may, on request in writing to the Chief Executive, be supplied with Parts I and II of the Agenda for the Committees and Sub-Committees concerned, and subject to those reports in Part II being treated as</p>	Supply of Agenda

	private and confidential.	
5.28	A motion or amendment which is not carried shall not again be moved for a period of six calendar months from the date of the Authority meeting at which it was moved unless the Authority decides otherwise on the grounds of altered circumstances or other good reason.	Motions not carried not to be revived.
5.29	The Minutes of the proceedings of each meeting shall be signed at the next meeting, whether that meeting is an Ordinary or an Extraordinary Meeting, by the Chair of that meeting.	Signing of Minutes
5.30	<p>5.31.1 If a Member persistently disregards the ruling of the Chair by behaving improperly or offensively or deliberately obstructs business, the Chair may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.</p> <p>5.31.2 If the Member continues to behave improperly after such a motion is carried, the Chair may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.</p>	Suspension of Member
5.31	<p>(1) At any meeting of the Police Authority, members of the public may make representations in the form of a statement or ask questions in relation to any specific item on Part I of the agenda.</p> <p>No person shall be allowed to speak for this purpose for more than three minutes. A question or a statement must be relevant and within the terms of reference for that meeting.</p> <p>(2) A question may only be asked, or a statement made, if notice has been given in writing or electronic mail to the Chief Executive of the Authority by no later than three working days before the date of the meeting. The notice must give the name of the questioner, and if relevant any organisation they represent, and must detail in full the question to be put to the meeting. Details of any representations to be made must also be given in the form of a written statement.</p> <p>For clarification, such questions and statements are to be directed to the Chair of the Authority and not at the Chief Executive of the Authority or the Chief Constable.</p>	<p>Representations/Questions on Agenda items by Members of the Public</p> <p>Notice of Questions / Statements</p>

<p>(3) Questions will be asked and statements made on a specific agenda item in the order they were notified, except the Chair of the meeting may group together any similar questions.</p>	<p>Order of Questions / Statements</p>
<p>(4) The total number of representations and / or statements that can be made in relation to any specific agenda item shall not exceed three in total.</p> <p>No more than one question may be asked or one statement may be made by an individual or on behalf of an organisation in relation to any specific agenda item.</p>	<p>Number of Questions / Statements</p>
<p>(5) The Chief Executive, in conjunction with the Chair (or Vice Chair), shall have the absolute discretion to reject any question or statement for any reasons they think fit, but in any event such a question and / or statement may be rejected if:</p> <p>a) it is not about a matter for which the Police Authority has a responsibility or which does not affect the policing of the Lancashire area;</p> <p>b) it is potentially defamatory, frivolous, vexatious or offensive;</p> <p>c) it is substantially the same as a question and or statement which has been put at any meeting of the Authority in the past six months;</p> <p>d) it requires the disclosure of confidential or exempt information;</p> <p>e) the questioner has or may have a financial or commercial interest in the matter;</p> <p>f) the matter is subject to an investigation / complaint or is capable of being.</p>	<p>Scope of Questions / Statements</p>
<p>(6) Copies of all questions to be asked at the relevant meeting will be circulated to all members of the relevant meeting.</p>	<p>Circulation of Questions</p>
<p>(7) If any person who has submitted a question or</p>	

	<p>statement is unable to attend the meeting, they may ask the Chair of the meeting to put the question or raise the statement on their behalf. The Chair may ask the question or read the statement on behalf of the member of the public, indicate that a written reply will be given or decide in the absence of the questioner that the question will not be dealt with.</p> <p>At the discretion of the Chair of the meeting, a short supplementary question may be asked.</p> <p>(8) All questions asked by members of the public at an Authority meeting on any specific agenda item will be given a written response.</p>	<p>Participation at the Meeting</p> <p>Written Answers</p>
5.32	<p>If a member of the public interrupts the proceedings at any meeting the Chair shall warn him/her. If s/he continues the interruption the Chair shall order his/her removal. The Chair if he/she considers it essential for the purpose of the effective conduct of business, may adjourn the meeting to another place, day or time.</p>	<p>Disturbances by Members of the public</p>
5.33	<p>(1) The Authority may, by resolution, exclude the Press and other members of the public from a meeting during an item of business upon a motion moved and seconded being carried by a majority, wherever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item, there would be disclosure to them of exempt information as defined in Section 100i of the Local Government Act 1972.</p> <p>(2) The Press and other members of the public shall be excluded from a meeting whenever it is likely that confidential information as defined in S100A(3) Local Government Act 1972 would be disclosed to them in breach of the obligation of confidence. In these circumstances, the business in question shall stand adjourned in like manner as provided for in Standing Order 5.32</p> <p>The business the subject of a resolution under this Standing Order shall stand adjourned until all other business of the meeting has been transacted whereupon the Press and other members of the public shall leave the meeting and the adjourned business shall be considered.</p>	<p>Exclusion of the public</p> <p>Confidential Information</p>
5.34	<p>Any one or more of the Standing Orders relating to the order of debate and voting may be suspended at any meeting so far as regards any business at such meeting, providing the Authority so</p>	<p>Suspension of Standing Orders</p>

	determines.		
5.35	The filming, videoing, photography or audio recording of any part of a meeting shall not be permitted without the agreement of the Chair of the meeting concerned.		Recording of Proceedings
5.36	Smoking shall not be permitted at Authority meetings.		Smoking
5.37	The ruling of the Chair upon the construction and application of these Standing Orders shall be final.		Application of Standing Orders
<b>6.</b>	<b><u>URGENT BUSINESS PROCEDURE</u></b>		
6.1	Where there is a need to take decisions which cannot await the next meeting of the full Authority, or the relevant Committee or Sub-Committee if the powers are delegated, the Chief Executive or Chief Constable may take decisions as a matter of urgency, following consultation with the Chair and Vice-Chair of the Authority, or of the relevant Committee or Sub-Committee as appropriate.		Taking of Urgent Decisions Between Meetings
6.2	A brief written report on decisions taken by the Chief Executive or Chief Constable under the urgent business procedure, should be submitted to the next meeting of the Authority or the relevant Committee or Sub-Committee, on behalf of which the decision was taken.		Report on Decision taking under the Urgent Business Procedure to Authority or relevant Committee/Sub-Committee
<b>7.</b>	<b><u>COMMON SEAL</u></b>		
7.1	The Common Seal of the Authority shall be kept in a secure place, determined by the Chief Executive to the Authority.		Safe Custody of the Seal
7.2	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 a Committee to which the Authority have delegated their powers on that behalf, or by an officer exercising delegated powers under the Authority's Scheme of Delegation to the Chief Constable and the Police Authority Chief Executive. Such a resolution or authorisation for the acceptance of any tender, the purchase, sale, letting or taking of any property, the presentation of any petition, memorial or address, the making of any contract, or the doing of any other thing, shall be a sufficient authority for sealing any document necessary to give effect to the decision.		Sealing of Documents
7.3	An entry of the sealing of every Deed and other document to which the Common Seal shall have been affixed shall be registered in a separate book to be provided for the purpose.		Records of Deeds Sealed
7.4	Every document sealed shall be attested by the actual sign manual		Attestation of Sealed Deeds

	of the Chief Executive to the Authority or such other person as may be authorised by the Chief Executive to the Authority.		
<b>8.</b>	<b><u>SIGNING OF DOCUMENTS UNDER HAND</u></b>		
	Authority shall be given to the Chief Executive and Deputy Chief Financial Officer to the Authority, and to such other persons as may be authorised by the Chief Executive, to sign under hand any documents relating to any contract that has been authorised by a resolution of the Authority or one of its Committees.		Signing of Documents underhand

October 2007