

**Standing Orders for the Regulations of the Business of the  
North York Moors National Park Authority**

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## **Meetings of the Authority**

1. (a) The Authority shall, in every year (after 1996), hold an annual meeting. The first meeting held after 31 May in any year (after 1996) shall be the annual meeting.
- (b) The Authority shall in every year after 1996 hold, in addition to the annual meeting, at least 3 other meetings for the transaction of general business.
- (c) In addition to the annual meeting of the Authority and any meetings convened by the Chair or by Members of the Authority under the provisions of Schedule 12 to the Local Government Act 1972, meetings for the transaction of general business shall be held on such days as may be determined by the Authority at its annual meeting, provided that any such date may be varied at a subsequent meeting.
- (d) In these Standing Orders "ordinary meetings" means a meeting described in paragraph (a), (b) or (c) above other than a meeting convened by the Chair or by Members of the Authority. The term "year" means the period from the annual meeting in one calendar year to the annual meeting in the next following year.
- (e) All meetings of the Full Authority, Committees or Sub-Committees shall be called at no less than 5 clear days notice in accordance with the Local Government Act 1972, as amended by Local Authorities (Access to Meetings and Documents) (Period of Notice) (England) Order 2002), save that the Urgency Committee can be called in accordance with the shorter notice provisions contained in Section 100 of the Local Government Act 1972.
- (f) No less than 5 clear days before the meetings, notice of the time and place of the intended meeting shall be published at the Authority's offices, and where the meeting is to take place, save that shorter notice of the Urgency Committee can be given in accordance with the shorter notice provisions contained in Section 100 of the Local Government Act 1972.

## **Chair and Deputy Chair of the Meeting**

2. (a) The first item of business on the agenda for the annual meeting shall be the election of a Chair and of a Deputy Chair for the ensuing year.
- (b) Any power or duty of the Chair in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.
- (c) The Chair and Deputy Chair of the Authority undertake a role to represent the Authority at national (e.g. National Park 'family' meetings), regional or local meetings where attendance of the Chair or Deputy Chair is required.
- (d) The Deputy Chair of the Authority is able to deputise for the Chair.

## **Quorum**

3. (a) Save where expressly stated to the contrary in Annex A of the Scheme of Delegation, the Quorum of the Authority or its Committees, and Sub-Committees shall be one third or, if that is not a whole number, the next whole number of Members above that fraction of the total Membership provided that of those present, at least one Member is a Local Authority Member and at least one a Secretary of State Member.
- (b) If, during any meeting of the Authority, the Chair, after counting the number of Members present, declares that there is not a quorum present, the meeting shall stand adjourned. The consideration of any business not transacted shall be adjourned to a time fixed by the Chair at the time the meeting is adjourned, or, if he/she, does not fix a time, to the next ordinary meeting of the Authority.

### **Minutes of the Authority**

4. (a) At a meeting of the Authority at which minutes of a previous meeting are submitted for approval as a correct record, the Chair shall move that those minutes be so approved.
- (b) Where in relation to any meeting of the Authority the next such meeting is a meeting called under paragraph 3 (extraordinary meetings) of Schedule 12 to the Local Government Act 1972, the next following meeting of the Authority (being a meeting called otherwise than under that paragraph) shall be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) (signing of minutes) of that Schedule.
- (c) No motion shall take place upon the minutes, except upon their accuracy, and any matter concerning their accuracy shall be raised by amendment.
- (d) If no such matter is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

### **Questions by Members**

5. (a) Subject to Standing Order 5(c), at a meeting of the Authority a Member may ask the Chair of the Authority any question relating to the business of the Authority.
- (b) At ordinary meetings of a Committee or Sub Committee, any Member of the Authority who is present may ask the Chair of that Committee or Sub Committee any question on any matter in relation to which that Committee or Sub Committee has delegated or referred functions.
- (c) The text of any question shall be submitted in writing to the National Park Officer (Chief Executive) not less than five clear days before the meeting at which the Member proposes to ask the question, subject to paragraph (d) of this Standing Order (urgent business).
- (d) The Chair of the meeting may allow the asking of a question which has not been submitted as required by paragraph (c) above, if he/she considers that it relates to urgent business. The text of any such question shall, if possible, be delivered to the National Park Officer (Chief Executive) not later than 10.00 am on the working day immediately before the meeting at which the question is to be asked.
- (e) After a question has been replied to, the Member who asked it may ask one supplementary question for the purpose of clarifying the reply which has been given. A Member asking such a supplementary question shall confine himself/herself to the substance of the original question, and shall not introduce any new matter which did not fall within the scope of the original question. In paragraphs (f)-(i) of this Standing Order, the word "question" shall include a supplementary question.
- (f) Every question shall be put and answered without discussion.
- (g) No motion shall be moved with reference to any question or reply to a question, although a decision of the Authority or Committee may be to call for papers to be brought to the next meeting.
- (h) If the Chair of a meeting is of the opinion that the question is out of order, or of a personal nature, or it is undesirable in the interests of the Authority, he/she shall so inform the Member and shall not allow the question to be put.
- (i) Questions asked in pursuance of the above paragraphs of this Standing Order shall be recorded in the minutes of the meeting, and the National Park Officer (Chief Executive) shall supply the questioner with a copy of the replies thereto within seven working days after the meeting.

## **Rules of Debate**

6. (a) All Members shall address the Chair. If two or more Members indicate, the Chair shall call on one of them to speak.
- (b) Whenever the Chair rises during a debate, all Members shall be silent.
- (c) The ruling of the Chair on points of procedure or order and his/her interpretation of the Standing Orders shall be conclusive and no debate upon his/her ruling shall be allowed.
- (d) Every motion or amendment shall be moved and seconded.
- (e) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.
- (f) A Member shall direct his/her speech to the question under discussion, or to an explanation, or to a point of order. Except with the consent of the Authority, a Member shall not speak for more than five minutes on any motion or amendment, except for the mover, who may speak for not more than 15 minutes. There shall be no limit on the length of time the Chair may speak.
- (g) Every amendment shall be relevant to the motion to which it is moved.
- (h) Any number of amendments may be moved, but when an amendment to an original motion has been moved and seconded, no second or subsequent amendment shall be moved until the first amendment has been disposed of. If an amendment is rejected, other amendments may be moved to the original motion. If an amendment is carried by a vote, the motion as amended shall become the substantive motion.
- (i) A motion or amendment may be withdrawn by the proposer with the concurrence of the seconder.
- (j) A Member shall not speak more than once on any motion or amendment, except in the exercise of the right of reply, or on a point of order, or by way of personal explanation.
- (k) A Member may raise and be heard forthwith on a point of order or personal explanation, but a personal explanation shall be confined to some material part of a speech by him/her which may have been misunderstood.

## **Motions and Amendments**

7. (a) Any Member of the Authority may give notice to the National Park Officer (Chief Executive) of a motion to appear on the agenda and, subject to such motion being:  
  
in writing;  
  
signed by the mover and seconder, and  
  
delivered to the National Park Officer (Chief Executive) not later than the ninth day before the meeting,  
  
the motion shall be included on the agenda for the next meeting of the Authority.
- (b) A motion or amendment shall not be discussed unless it has been proposed and seconded, and it shall, if required by the Chair, be put into writing and handed to the Chair before it is further discussed or put to the meeting.

- (c) A Member may not propose or second a motion or amendment on which he/she is disqualified from voting.

### **Confidential Business**

- 8. A Member or Officer of the Authority shall not:-
  - (a) disclose any information which has been reported to the Authority or a Committee or Sub-Committee and which is confidential information as defined by the provisions of Section 100A of the Local Government Act 1972; or
  - (b) without the permission of the Authority or the relevant Committee or Sub-Committee disclose any information which is identified as exempt information in a resolution of the Authority or a Committee or Sub-Committee to exclude the public in accordance with the provisions of Section 100A of the Local Government Act 1972.

### **Motions Affecting Persons Employed by the Authority**

- 9. If any question arises at a meeting of the Authority or a Committee or Sub Committee as to the appointment, promotion, dismissal, salary, superannuation, conditions of service or the conduct of any Officer or any person employed or appointed by the Authority, such question shall not be the subject of discussion until the Authority or Committee or Sub Committee, as the case may be, has decided whether or not the power of exclusion of the public under Section 100A of the Local Government Act 1972, shall be exercised.

### **Conduct of Members**

- 10. (a) A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order and shall not impute motives or use offensive expressions to or about any other Member.
- (b) If any Member in the opinion of the Chair signified to the Authority, misconducts himself/herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Authority, or by tedious repetition or unbecoming language, the Chair or any other Member may move "that the Member named be not further heard", and such motion if seconded shall be put and determined without discussion.
- (c) If the Member named continues such misconduct after a motion under the last previous paragraph has been carried, the Chair shall either:-
  - (i) move "That the Member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion); or
  - (ii) adjourn the meeting of the Authority for such period as he/she in his/her discretion shall consider expedient.

### **Points of Order or Explanation**

- 11. (a) A point of order shall relate only to an alleged breach of a Standing Order or statutory provision, and the Member shall specify the Standing Order or statutory provision and the way in which he/she considers it has been broken. A personal explanation shall be confined to some material part of a former speech by him/her which may appear to have been misunderstood in the present debate.
- (b) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall be final and shall not be open to discussion.

### **Appointments by the Authority**

12. (a) Every candidate nominated to represent the Authority in any capacity or for any position to be filled by the Authority shall be openly proposed and seconded at the appropriate appointment meeting.
- (b) At the close of nominations the Chair shall state the names of the candidates who have been duly proposed and seconded and the number of vacancies to be filled if the number is limited
- (c) If the number of nominations does not exceed the number of vacancies, or if the number of vacancies is not limited, the Chair shall immediately put the appointment of the duly nominated candidates collectively as a substantive motion upon which no amendment may be moved.
- (d) If no nominations are received the Chair may, at his/her discretion, appoint a Member who subsequently volunteers.
- (e) If the number of nominations exceeds the number of vacancies there shall be an adjournment of the item to permit informed consultation, following which, if the number of nominations remains greater than the number of vacancies there shall be a secret ballot of the Members present at the meeting in which each Member of the Authority may vote for as many candidates as there are vacancies to be filled. Members are encouraged to give weight to the benefit of re-appointing Members to other bodies that only have occasional meetings, in order to allow the appointed Member to accrue adequate experience and knowledge of the other body and thereby improve representation of the Authority's position. No candidate shall be appointed unless the number of votes cast in his favour exceeds half the number of persons voting. If in any ballot no candidate receives the number of votes entitling him/her to be appointed, the names of those who receive no votes and the name of the one who receives the least number of votes shall be struck off the list and a fresh ballot be taken, and so on, until all the vacancies are filled. The Chair of the meeting in which appointments are selected does not have a casting vote in the event of tied voting.
- (f) Any ballot shall be conducted by the National Park Officer (Chief Executive) whose return shall be final and conclusive.

### **Voting**

13. (a) Every proposition shall, unless otherwise required by these Standing Orders or Statute, be determined by show of hands or, at the discretion of the Chair, by voices, and by a simple majority of those Members voting, unless a different majority is prescribed by these Standing Orders.
- (b) In taking the votes on any proposition, only those Members who are present in the room where the proposition is put from the Chair shall be entitled to vote.
- (c) After a proposition is put from the Chair but before any vote is taken, any three Members by show of hands may require that the voting shall be recorded in the minutes of the meeting so as to show whether each Member present gave his vote for or against the proposition or abstained from voting.
- (d) Where, immediately after a vote is taken at a meeting of the Authority, or a Committee or Sub-Committee of the Authority, any Member of that body so requires, there shall be recorded in the Minutes of the proceedings of that meeting whether that person cast his/her vote for the question or against the question or whether he/she abstained from voting.

- (e) A Member shall not vote on a determination of a planning application or similar regulatory matter where they are absent from any material part of the presentation and debate of the matter.
- (f) A Member shall not vote on a determination of a planning application where they have not fully completed any planning training requirement prescribed by the Authority.
- (g) The Chair of any Authority, Committee or Sub-Committee meeting shall have a casting vote on any matter at that meeting that would otherwise be a tied vote.

#### **General Disturbance**

- 14. (a) If a Member of the public interrupts the proceedings at any meeting the Chair shall warn him/her. If he/she continues the interruption the Chair shall order his/her removal from the room. In case of general disturbance in any part of the room open to the public, the Chair shall order that part to be cleared.
- (b) If, in the opinion of the Chair, misconduct or obstruction renders the due and orderly dispatch of business impossible, the Chair, in addition to any other power vested in him/her may, without the question being put, suspend the meeting for a period not exceeding 60 minutes.

#### **Interests in Contracts and Other Matters**

- 15. Where a Member of the Authority has any personal interest in any matter coming before the Authority, or any of its Committees or Sub Committees , , that Members must observe the provisions of the Members' Code of Conduct in relation to the declaration of such interests and participation (or non-participation) in consideration of the matter.

#### **Disciplinary Action**

- 16. (a) No disciplinary action (within the meaning of Part II of the Local Authorities (Standing Orders) Regulations 1993) in respect of the Head of the Authority's Paid Service, except action described in paragraph (b), may be taken by the Authority, or by a Committee, Sub-Committee, or any other person acting on their behalf, other than in accordance with a recommendation in a report made by a designated independent person under Regulation 3 of those Regulations.
- (b) The action mentioned in paragraph (a) is suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension shall be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

#### **Canvassing of and Recommendation by Members**

- 17. (a) Canvassing of Members of the Authority, or any Committee or Sub-Committee of the Authority, directly or indirectly for any appointment under the Authority shall disqualify the candidate concerned for that appointment. The purport of this paragraph of this Standing Order shall be included in any form of application.
- (b) A Member of the Authority shall not solicit for any person any appointment under the Authority but this shall not preclude a Member from giving a written testimonial of a candidate's ability, experience, or character for submission to the Authority with an application for appointment.

### **Relatives of Members or Employees**

18. (a) A candidate for any appointment under the Authority who knows that he/she is related to any Member or employee of the Authority shall disclose that relationship in his/her application. A candidate who fails to disclose such a relationship shall be liable to be disqualified for the appointment and, if appointed, shall be liable to dismissal without notice.
- (b) Every Member and senior officer of the Authority shall disclose to the National Park Officer (Chief Executive) any relationship known to him/her to exist between himself/herself and any person whom he/she knows is a candidate for an appointment under the Authority.
- (c) The purport of this Standing Order shall be included in any form of application.
- (d) For the purpose of this Standing Order "senior officer" means any officer so designated by the Authority, and persons shall be deemed to be related if they are husband and wife, or civil partners, or if either of them or the spouse/civil partner of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the other, or of the spouse/civil partner of the other.

### **Record of Attendances**

19. Every Member attending a meeting of the Authority, or of any of its Committees or Sub-Committees of which he/she is a Member, shall sign his/her name in the attendance book or on the sheet provided for that purpose.

### **Sealing of Documents**

20. (a) The common seal of the Authority shall be kept in a safe place in the custody of the National Park Officer (Chief Executive) or Monitoring Officer.
- (b) 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 Committee or Sub-Committee to which the Authority has delegated its powers in this behalf, or has been authorised by an officer of the Authority under an appropriate delegated power, but a resolution of the Authority (or of a Committee or Sub-Committee where that Committee or Sub-Committee has the power) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial or address, the making of any contract, issuing a precept, or the doing of any other thing, shall be a sufficient authority for sealing any document necessary to give effect to the authorisation.
- (c) The seal shall be attested by the National Park Officer (Chief Executive) (or other person duly authorised in writing by the National Park Officer (Chief Executive)) and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be authenticated by the person who has attested the seal.

### **Meetings of Committees and Sub-Committees**

21. (a) The Chair of a Committee or Sub-Committee or the Chair of the Authority may cause a special meeting of the Committee, Sub-Committee or Authority to be called at any time .
- (b) A special meeting of the Authority, a Committee or Sub-Committee shall be called on the request of at least one quarter of the whole number of Members of the Authority, Committee or Sub-Committee by notice in writing signed by them and given to the National Park Officer (Chief Executive) and specifying the business for which the meeting is to be called.

### **Proceedings of Committees and Sub-Committees**

22. (a) The quorum of every Committee and Sub-Committee, unless a special quorum is otherwise prescribed, shall be in accordance with Standing Order 3(a) above, provided that in no case shall a quorum of a Committee or Sub-Committee be less than three Members and of those present at least one is a local authority member and at least one a Secretary of State member.
- (b) Any Authority Member may attend as an observer at meetings of Committees and Sub-Committees (except those Committees and Sub-Committees which the Authority may from time to time determine for the purposes of this Standing Order) to which he/she has not been appointed as Member, including meetings or items of business from which the public has been excluded. If given permission by the Chair of the meeting, a Member attending as an observer may speak (but not vote) on any matter.
- (c) Subject to the provision of Section 100A of the Local Government Act 1972, all Committee and Sub-Committee reports and all documents marked as "confidential", "exempt" or "not for publication" shall be treated as confidential until they become public in the ordinary course of the Authority's business.
- (d) No act of a Sub-Committee shall have effect until approved by the appointing Committee except to the extent that the Committee has itself power to act without the approval of the Authority and the power so to act has been conferred upon the Sub-Committee.
- (e) In addition to those Standing Orders which expressly relate to Committees or Sub-Committees, Standing Orders 4 and 6 to 15 inclusive, shall apply with any necessary modification to Committees and Sub-Committees.

### **Ex-officio Appointments**

23. (a) The Chair and the Deputy Chair of the Authority shall be ex-officio Members of all Committees, Sub-Committees except the Personnel Appeals and Chief Executive Review Panels.
- (b) The ex-officio Members are not permitted to vote at any Committee or Sub-Committee except under the provisions of Standing Order 23(e), but may propose or second a motion
- (c) The ex-officio Members are entitled to vote at Task and Finish Groups.
- (d) The ex-officio Members are entitled to take the Chair of any Committee, Sub Committee or Task and Finish Group and to act as Deputy Chair if so elected.

- (e) Where a substitute Member is entitled to attend a committee, sub-committee or Task and Finish group meeting and is unable to do so the ex-officio Member shall take on that role in a voting capacity and contribute to the quorum, provided that he/she is from the same group i.e. Secretary of State Member or Local Authority Member. Where both the Chair and Deputy Chair of the Authority would be eligible to act as a substitute Member under this Standing Order, the Chair shall take the first such position.

#### **Financial Management**

24. The financial management of the Authority shall be undertaken strictly in accordance with the Financial Regulations.

#### **Delegation to Officers**

25. Without prejudice to any directions of the Authority or any Scheme of Delegation approved by the Authority or any statutory provision to the contrary a Committee or Sub-Committee may delegate to an officer either generally or in respect of any particular matter any of the powers and duties which have been referred to that Committee or Sub-Committee.

#### **Chair of Committees and Sub-Committees**

26. (a) The Chair and Deputy Chair of a Committee, or of any Sub-Committee which the Authority may from time to time determine for the purposes of this Standing Order, shall be appointed by the Authority in accordance with this Standing Order and may be removed by the Authority or may resign. If the Authority so decides, the appointment of the Chair and Deputy Chair of a Committee or Sub-Committee may be left for that body itself to decide.
- (b) The appointment of the Chair and Deputy Chair of a Committee or Sub-Committee shall be conducted in the same way as an appointment is required to be made by the Authority under Standing Order 12, sections (a) – (f).
- (c) Subject to paragraph (a) of this Standing Order, the Chair and Deputy Chair of a Committee or Sub-Committee appointed by the Authority shall hold office until the meeting of that Committee, Sub Committee or Task and Finish Group immediately following the Authority's Annual General Meeting after his/her appointment.
- (d) If the Chair and Deputy Chair of a Committee or Sub-Committee is absent from a meeting of the Committee or Sub-Committee, the Members present shall choose one of their number who is a Member of the Authority to preside over the meeting.
- (e) If the Chair of a Committee, Sub-Committee or Panel arrives at a meeting of the Committee, Sub-Committee or Panel after the time for which the meeting has been summoned, he/she shall preside over the meeting after any question under discussion on his/her arrival has been disposed of but not before then.
- (f) That when considered appropriate by a Committee, Sub-Committee or Task and Finish Group the matter under discussion may be referred to the Authority for decision.

#### **Appointment of Substitutes to Committees**

27. The Authority may make arrangements for substitute membership of Committees, Sub-Committees and Task and Finish groups in accordance with such schemes as it may approve.

### **Variation and Revocation of Standing Orders**

28. Any motion to add to, vary or revoke these Standing Orders shall once proposed and seconded, be discussed by the Authority in advance of a final determination of the proposed changes at a subsequent Authority meeting. The agreed changes shall take effect when specified in the resolution or immediately in default of a time and date being specified.

### **Suspension of Standing Orders**

29. (a) Subject to paragraph (b) of this Standing Order, any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved.
- (b) A motion to suspend any of the preceding Standing Orders cannot be moved unless at least one-half of the whole number of the Members of the Authority are present.

### **Interpretation of Standing Orders**

30. The ruling of the Chair as to the interpretation or application of any of these Standing Orders, or as to any proceedings of the Authority, shall be final and shall not be challenged at any meeting of the Authority, any Committee or Sub-Committee.

### **Right of the Public to Speak at Meetings**

31. (a) Members of the public are able to attend and speak at meetings of the Authority's Planning Committee in accordance with the Authority's guidance on public speaking at Planning Committees for the time being in force.
- (b) The "Public Question Time" procedure only applies to meetings of the Full Authority.
-