

STANDING ORDERS

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STANDING ORDERS

For regulating the transaction of the business of the Council and its Committees.

These Standing Orders are to be read in conjunction with the Council's Financial Regulations and Scheme of Delegation. In the case of any conflict the Standing Orders will prevail.

THE COUNCIL

ANNUAL AND MONTHLY MEETINGS

- 1 In addition to the Annual Meeting of the Council held each year in pursuance of the provisions of Schedule 2 of the Local Government Act (Northern Ireland) 1972, a meeting of the Council for the transaction of the general business of the Council shall, subject to any deviation which special circumstances may render desirable, be held on the first day of each month except August. Any such Monthly Meeting shall not, however, take place on a Bank Holiday, Friday, Saturday or Sunday, but shall be held on the next following weekday instead.

HOUR OF MEETING

- 2 The Annual Meeting and other meetings of the Council shall be held in the Council Chamber at 6.00 o'clock p.m. except where otherwise fixed by statute or by special summons.

CHAIR TO BE TAKEN

- 3 At each meeting of the Council the Chair shall be taken at the time for which the meeting is convened, and business immediately proceeded with.

ALLOCATION OF SEATS

- 4 Seating of Members in the Council Chamber shall be through mutual arrangement between the various political groupings and any independent Members. Any points of dispute shall be decided by the Council.

QUORUM

- 5 The quorum as fixed by Paragraph 4 of the Second Schedule of the Local Government Act (Northern Ireland) 1972 is one-quarter of the membership of the Council.

ELECTION OF THE LORD MAYOR

- 6 The office of Lord Mayor shall not be held by a Member for more than two consecutive years, provided that, should a vacancy in such office be filled within six months of the ensuing Annual Meeting of the Council the said period of two consecutive years shall be taken as commencing at such Annual Meeting.

DEPUTATIONS TO THE COUNCIL

- 7 Deputations may only be admitted to the Council provided the Chief Executive and Town Clerk shall have received twenty-four hours previous written notice of the intended deputation and the object thereof. The privilege of such deputation shall be confined to the presentation of a memorial, statement, or copy of resolutions, and the making of not more than two short addresses by members of the deputation.

ADMISSION OF THE PUBLIC

- 8 The public may attend only in the gallery of the Council Chamber provided for their accommodation at meetings of the Council, unless specially excluded by a resolution of the Council, during the whole or part of the proceedings at the meeting, subject to the following Rules and Regulations, that is to say -
- (a) That a member of the public shall be admitted only on the signature of a Member of Council. Each Member of Council is permitted to sponsor two members of the public for the purpose of viewing a Council Meeting from the public gallery;
 - (b) That the admission of persons to the gallery be upon the understanding that they must continue at all times seated, and that no expression of opinion or noise of any kind be allowed from them;
 - (c) That the Lord Mayor may at any time during the proceedings, if he thinks it necessary to secure order, direct the removal of any individual from the gallery, or order the gallery to be wholly cleared.

(Note: It is provided by Section 23 of the Local Government Act (Northern Ireland) 1972 as follows:-

- (1) Subject to the provisions of this Section and Section 27 every meeting of the Council shall be open to the public.
- (2) A Council may by resolution exclude the public from a meeting of the Council (whether during the whole or part of the proceedings at the meeting) whenever publicity would be prejudicial to the public interest:-
 - (a) by reason of the confidential nature of the business to be transacted at the meeting; or
 - (b) for such special reasons as may be specified in the resolution being reasons arising from the nature of the business to be transacted or of the proceedings at the meeting.
- (3) Without prejudice to the generality of sub-section (2), a Council may treat the need to receive or consider recommendations or advice from sources other than Councillors, or Committees of the Council, or joint Committees as a special reason for the purposes of sub-section (2) (b) without regard to the subject or purport of the recommendations or advice.
- (4) Where at a meeting of a Council the Council resolves itself into Committee, the proceedings in Committee shall for the purposes of this Act be treated as forming part of the proceedings of the Council at the meeting.)

ORDER OF BUSINESS

- 9 At the commencement of each Meeting of the Council the Lord Mayor or Chairman shall read a short passage from the scriptures. Thereafter, subject to any Statutory requirements to the contrary, the order of business at every Monthly Meeting of the Council shall be as follows:-
- (a) Confirmation of minutes;
 - (b) Official announcements or memorials;
 - (c) Deputations;
 - (d) Minutes of the proceedings of the several Committees and their recommendations;
 - (e) Notices of Motion.

MINUTES TO BE CONFIRMED

- 10 The minutes of the Council to be confirmed shall be taken as read, provided that a copy of the minutes shall have been sent to each Member of the Council at least forty-eight hours previously, and no motion or discussion shall be allowed upon the minutes except as to their accuracy, and any objection upon that ground must be made by motion.

NOTICES OF MOTION

- 11 (a) All notices of motion shall be given in writing to the Chief Executive and Town Clerk not later than seven clear days at least, before the Council meeting. Such notices shall distinctly state the nature or substance of the motion intended to be submitted to the Council.
- (b) Every notice of motion shall be relevant to some matter in relation to which the Council has powers or duties or which affects the City. Such notices shall be dated and numbered as received, and entered in a register to be kept for that purpose. This register shall be open to inspection by every Member of the Council.
- Notices of motion shall be entered in their proper place by the Chief Executive and Town Clerk upon the Summons Paper in the order in which they were received.
- (c) The Lord Mayor may exclude from the Council Summons any notice of motion which may be out of order or may make such clerical corrections as will bring it into due form.
- (d) A Member shall have not more than two notices of motion on the Summons Paper at the same time.
- (e) If the subject matter of any motion of which notice has been given comes within the province of any Committee it shall, upon being moved and seconded, stand referred without discussion to that Committee, or to such other Committee as the Council may determine, for consideration and report.
- (f) If a notice of motion fails to be considered at a meeting of the Council such notice of motion will only be included on the Summons Paper for the following meeting if submitted in writing to the Chief Executive and Town Clerk by the Member concerned not later than seven clear days, at least, before the Council meeting.
- (g) Any notice of motion which fails to be considered at two consecutive meetings will not be accepted for inclusion on the Summons Paper for a period of six months from the date of the second meeting at which the matter has failed to be considered.

MINUTES TO BE SUBMITTED

- 12 In order to give sufficient time for the printing of the minutes and for their perusal by the Members of the Council, minutes of meetings of a Committee held later than seven clear days before the meeting of the Council shall not be submitted to that meeting for approval except in case of extreme urgency to be decided by the Committee in question and recorded in its minutes.

It shall be the duty of a Committee, through the Chairman or his/her representative, when its minutes are submitted for approval, to call the attention of the Council to any resolution or matter of an unusual or special character contained therein.

DISCUSSION ON MINUTES

- 13 A motion or amendment shall not be made or proposed or any discussion allowed upon the confirmation of the proceedings of the several Committees with reference to any matter within the province of a Committee which does not appear upon the minutes submitted to the meeting. Any Member desiring further information regarding any matters appearing in the minutes submitted to the Council for approval and who shall state his/her request in writing so that it shall be in the hands of the Chairman of the Committee twenty-four hours before the commencement of the Council meeting shall be entitled to a reply when the proceedings of the particular Committee are submitted for approval.

AMENDMENTS

- 14 When a motion is under debate at any meeting of the Council an amendment or further motion shall not be received, except the following:-
- (a) To amend the motion; or
 - (b) That the Council do now adjourn; or
 - (c) That the debate be adjourned; or
 - (d) That the question be now put; or
 - (e) That the Council do proceed to the next business.

(a) TO AMEND THE MOTION

An amendment must be legitimate and germane and within the scope of the notice convening the meeting. It must not be a mere negative; must be relevant to the motion which it seeks to amend, and not inconsistent with anything already agreed upon at the same meeting. An amendment must relate solely to the motion which it purports to amend, and not be in effect a new proposition on a different matter, and must not lay a greater burden on the meeting than the original motion.

When an amendment upon an original motion has been moved and seconded, a second or subsequent amendment shall not be moved until the first amendment be disposed of. If an amendment be carried, the motion as amended shall take the place of the original motion, and shall become the question upon which any further amendment may be moved.

A Member shall not be at liberty to move an amendment if he has previously spoken to the motion, or to move more than one amendment to any motion, nor shall more than one amendment be moved with the same or similar object.

(b) THAT THE COUNCIL DO NOW ADJOURN

Any Member of the Council who has not already spoken to any motion or amendment then under debate may move “that the Council do now adjourn”. Such a motion must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the motion, which shall be put to the vote without debate.

In the event of the motion for the adjournment being carried, the Lord Mayor or Chairman shall (unless stated in the motion) fix the date for the adjourned meeting for the continuation of the debate on the motion or amendment under discussion at the time of the adjournment, and for the transaction of the remaining business (if any) on the Agenda for the meeting so adjourned.

A second motion “that the Council do now adjourn” shall not be made within half-an-hour, unless in the opinion of the Chairman the circumstances are materially altered.

(c) THAT THE DEBATE BE ADJOURNED

Any Member of the Council who has not already spoken to any motion or amendment then under debate may move “that the debate be adjourned”. Such a motion must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.

Before putting to the meeting a motion “that the debate be adjourned”, the Lord Mayor or Chairman shall call on the mover of the motion or amendment under discussion to reply on the question of adjournment and, after such reply, which will not prejudice the right of the mover of a motion to reply on the original question, shall put the motion for adjournment of the debate to the vote without further debate.

If the motion be carried, the Council shall proceed to the next business on the agenda, and the discussion of the adjourned debate shall be resumed at the next monthly meeting of the Council unless a special meeting of the Council shall be called for the purpose.

On resuming an adjourned debate, the Member who moved its adjournment shall be entitled to speak first. A second motion “that the debate be adjourned” shall not be made within half-an-hour. A Member shall not move or second more than one motion for the adjournment of the same debate.

(d) THAT THE QUESTION BE NOW PUT

Any Member who has not already spoken to any motion or amendment then under debate may move “that the question be now put”. Such a motion must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding it.

If the Lord Mayor or Chairman is of the opinion that the subject before the Council has been sufficiently discussed, he shall put the motion “that the question be now put” to the vote without debate and if same is carried the motion or amendment under discussion shall be put to the Council.

A second motion “that the question be now put” shall not be made on the discussion of the same question within half-an-hour.

A Member shall not move or second more than one motion “that the question be now put” on the discussion of the same question.

(e) THAT THE COUNCIL DO PROCEED TO THE NEXT BUSINESS

Any Member of the Council who has not already spoken to any motion or amendment then under debate may move, "that the Council do proceed to the next business". Such a motion must be seconded, but it need not be reduced to writing. The mover and seconder shall not speak beyond formally moving and seconding the motion which shall be put to the vote without debate.

When a motion is carried "that the Council do proceed to the next business", the question under discussion shall be considered as dropped.

A second motion "that the Council do proceed to the next business" shall not be made on the same question within half-an-hour.

A Member shall not move or second more than one motion "that the Council do proceed to the next business" on the discussion of the same question.

MOTIONS AND AMENDMENTS TO BE REDUCED TO WRITING AND SECONDED

- 15 All original motions and all amendments to amend a motion shall be reduced to writing by the mover and signed by him/her, read to the meeting, and handed to the Lord Mayor or Chairman, and approved by him/her as valid before being spoken to by such proposer, and a motion or amendment shall not be discussed by anyone other than the mover, put to the Council or entered upon the minutes until the same shall have been seconded.

RESERVING SPEECH

- 16 A Member of the Council may formally second an original motion or amendment to amend a motion, reserving his/her speech for a later period of the debate.

WITHDRAWING OR ALTERING MOTIONS AND AMENDMENTS

- 17 A motion or an amendment of a motion may be withdrawn by the mover with the consent of the Council or may be altered by the mover with the consent of the Council or may be altered by the mover with the consent of the seconder and the Council (the consent or refusal of the Council being signified without debate), and it shall not be competent for any Member to speak upon such motion or amendment after the mover has asked permission to withdraw or alter the same, unless such permission shall have been refused.

RIGHT OF SPEAKING BY MOVERS AND SECONDEES OF MOTIONS AND AMENDMENTS

- 18 The mover and seconder of and any Member who has spoken to an original motion shall have the right to speak on any amendment to amend the motion; and the mover of every original motion, but not of any amendment, shall have the right to reply, in which reply he/she shall not introduce any new matter, but shall confine himself/herself strictly to answering previous observations. The right of reply shall not extend to the mover of an amendment which, having been carried, has become a substantive motion.

DURATION OF SPEECHES

- 19 In submitting a motion, the mover shall not speak for more than ten minutes, except with the permission of the Council, and in replying for not more than five minutes. Other speakers shall each be allowed five minutes.

POINTS OF ORDER

- 20 A Member, whether or not he/she has previously spoken to the motion or amendment under debate, may call the attention of the Lord Mayor or Chairman to a point of order which shall be immediately ruled upon. Such points of order must be strictly confined to questions relating to the rules of debate.

EXPLANATIONS

- 21 A Member desirous of making an explanation of matters referred to by any Member may do so with the consent of the Lord Mayor or Chairman. Such explanation, if relating to matters referred to by a Member then speaking, may be given at once if the Member speaking consents; but if the Member who is speaking declines to give way, the explanation must be offered at the conclusion of the speech. When a Member rises to explain he/she must not refer to matters not strictly necessary for that purpose or endeavour to strengthen his former position by new arguments, or reply to other Members.

MEMBERS TO CONFINE REMARKS TO QUESTION

- 22 A Member who speaks shall direct his/her speech strictly to the motion or amendment under discussion, or to a point of order or explanation.

MEMBERS TO SPEAK ONCE ONLY

- 23 Subject as hereinbefore mentioned a Member shall not address the Council more than once on the same motion or amendment.

ADJOURNMENT OF MEETING AFTER FIVE HOURS CONTINUOUS SITTING

- 24 Any meeting of the Council which has lasted continuously for five hours shall stand adjourned unless the Council shall by resolution determine to continue sitting.

In the event of such adjournment the Lord Mayor or Chairman shall fix the date for the adjourned meeting for the continuation of the debate, on the motion or amendment under discussion at the time of the adjournment and for the transaction of the remaining business (if any) on the agenda for the meeting so adjourned.

COUNT OUT

- 25 Upon the attention of the Lord Mayor or Chairman being called by a Member of Council or the Chief Executive and Town Clerk to the fact that there is not a quorum present, the division bell shall be rung and the Chief Executive and Town Clerk shall call the roll of Members, and if it shall appear that there is not a quorum present, the Lord Mayor or Chairman shall declare the meeting of Council at an end, and the names of those who are present and those who are absent shall be recorded on the minutes of the Council.

VOTING AND DIVISIONS

- 26 Voting at meetings of the Council shall be conducted by show of hands except as otherwise resolved by the Council.

In accordance with Paragraph 8 of the Second Schedule of the Local Government Act (Northern Ireland) 1972, after a vote has been taken other than by division in the first instance, a division may be immediately demanded by a Member and the question shall then be decided by a division, but if a division is not immediately so demanded the Lord Mayor or Chairman shall state: "Those in favour have it", or "Those against have it", as the case may be, and the motion or amendment shall be carried or lost accordingly.

In case of a division, the votes shall be taken and recorded in the minutes of the Council's proceedings.

Before taking the vote by division upon any question, the division bell shall be rung, and a period of one minute shall be allowed to elapse, when the doors of the Council Chamber shall be closed and no one admitted until the vote has been taken.

During the taking of the votes Members shall remain seated.

RESCINDING OF RESOLUTIONS WITHIN SIX MONTHS

- 27 A motion to alter or rescind a resolution of the Council shall not be competent within six months from the date of such resolutions unless:-
- (a) the motion shall be brought forward as a recommendation of the Committee concerned: or
 - (b) the notice shall bear, in addition to the name of the Member who proposes the motion, the signatures of at least one-fourth of the Members of the Council.

QUESTIONS DECIDED TWICE IN SAME FINANCIAL YEAR

- 28 A question which within any financial year has twice been decided by the Council in the same way shall not in the same financial year again be submitted for the Council's consideration, and this Order shall not be evaded by the substitution of any motion differently worded, but in principle the same.

MODE OF ADDRESS

- 29 Members of Council shall be seated, except when addressing the Lord Mayor or Chairman, and shall address and speak of one another in the Council by their respective title of "Lord Mayor", "Chairman", "Alderman" or "Councillor". When a Member has any motion or observation to make he/she shall rise and address the Lord Mayor or Chairman, and he/she shall not be interrupted except as provided for in these Standing Orders.

The Lord Mayor or Chairman shall determine the order of speaking by the Members. When the Lord Mayor or Chairman rises, a Member shall not continue standing or speaking, nor shall any other Member rise until the Chair be resumed. No person shall pass between a speaker and the Chair.

OFFENSIVE EXPRESSION

- 30 A Member shall not impute motives or use offensive expression in reference to any Member of the Council.

DISORDERLY CONDUCT

- 31 (a) If at a meeting any Member of the Council, in the opinion of the Lord Mayor or Chairman notified to the Council, 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 Council, the Lord Mayor or Chairman or any other Member may move "That the Member named be not further heard", and the motion if seconded shall be put and determined without discussion.
- (b) If the Member named continues his/her misconduct after a motion under the foregoing paragraph has been carried:-
- (i) the Lord Mayor or Chairman or any other Member may move "That the Member named do leave the meeting" (in which case the motion shall be put and determined without seconding or discussion);

- (ii) the Lord Mayor or Chairman may adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.
- (c) When the Lord Mayor or Chairman is of the opinion that the due and orderly dispatch of business is impossible, he/she in addition to any other power vested in him/her may, without question put, adjourn the meeting of the Council for such period as he/she in his/her discretion shall consider expedient.

RULING OF THE LORD MAYOR

- 32 The ruling of the Lord Mayor or Chairman upon all questions of order, and of matters arising in debate, shall be final, and shall not be open to discussion.

ATTENDANCES

- 33 The Chief Executive and Town Clerk shall enter in the minute book the names of all Members present at meetings of Council and Committees and shall keep a Register showing the number of meetings attended by the Members.

(Paragraph 5 of the Second Schedule of the Local Government Act (Northern Ireland) 1972.)

COUNCIL IN COMMITTEE

- 34 The Council may at any meeting resolve itself into Committee for the purpose of transacting any business on the agenda for that meeting.

The Council in Committee shall not consider any matter not referred to it by the resolution resolving the Council into Committee, but if it should be deemed necessary to consider any matter not included in the terms of reference, the Council shall be resumed, and the Chairman may ask leave of the Council to take up the consideration in Committee of such additional matters as may be deemed desirable.

When the Council in Committee submits its report a motion for its adoption shall then be moved and put. No questions or discussion shall be permitted on the report or the motion for its adoption.

The Council in Committee shall not have power to adjourn its own sittings, or to adjourn a debate to a future sitting but, if the business referred to it be not transacted, the Council may be resumed and the Chairman may move that the Council be again put into Committee on a future day. If the Council in Committee shall have transacted part only of the business referred to it, the Chairman may, with leave of the Committee, report progress, and ask the Council for permission to sit again.

SUSPENSION OF STANDING ORDERS

- 35 For the purpose of affording greater freedom of debate any of the Standing Orders may be suspended at any meeting of the Council so far as regards any business at such meeting, upon a motion duly made, seconded, and carried. Previous notice of any such motion shall not be necessary.

STANDING COMMITTEES

- 36 The following shall be the Standing Committees of the Council:

- (a) Strategic Policy and Resources
- (b) Development
- (c) Health and Environmental Services
- (d) Licensing
- (e) Parks and Leisure

(f) Town Planning

MEMBERSHIP OF STANDING COMMITTEES

37 (a) PRINCIPLES FOR APPOINTMENT OF MEMBERS TO COMMITTEES

Each Committee shall consist of twenty Members.

All Committees shall be constituted to reflect, as far as practicable, the different political groups into which the Members of the Council are divided except in so far as individual groups or individual Councillors may waive their rights.

Accordingly, seats on Committees will be allocated on a proportional basis at the time set out in Section (c) in accordance with the following basic principles:

- (i) that not all the seats on a Committee are allocated to the same political group;
- (ii) that the majority of the seats on each Committee is allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
- (iii) subject to paragraphs (i) and (ii) above, that the number of seats on the Committees of the Council which are allocated to each political group bears the same proportion to the total of all the seats on the Committees as is borne by the number of Members of that group to the membership of the Council; and
- (iv) subject to paragraphs (i) to (iii) above, that the number of seats on each Committee which is allocated to each political group bears the same proportion to the number of all the seats on that Committee as is borne by the number of members of that group to the membership of the Council.

Where appointments fall to be made to seats on Committees otherwise than in accordance with a determination under the above-mentioned principles, it shall be the duty of the Council or the Committee, as the case may be, so to exercise their power to make appointments as to ensure that the persons appointed to those seats are not members of any political group.

(b) CONSTITUTION OF POLITICAL GROUPS

- (i) A political group shall be treated as constituted when there is delivered to the Chief Executive and Town Clerk a notice in writing which
 - (a) is signed by two or more Members of the Council who wish to be treated as a political group; and
 - (b) complies with the provisions of Paragraph (iii).
- (ii) A political group shall cease to be constituted if the number of persons who are to be treated as members of that group is less than two.
- (iii) A notice under Paragraph (i) shall state -
 - (a) that the Members of the Council who have signed it wish to be treated as a political group;
 - (b) the name of the group; and
 - (c) the name of one member of the group who has signed the notice and who is to act as its leader.
- (iv) A notice under Paragraph (a) may specify the name of one other member of the group who has signed the notice and who is authorised to act in the place of the leader when he or she is unable to act ("the deputy leader").

(c) REVIEW OF ALLOCATION OF SEATS TO POLITICAL GROUPS

The Council shall review the representation of the different political groups at the Annual Meeting of the Council in each year and the membership of a political group will be taken to be the number of Members of the Group on the 1st May immediately before the Annual Meeting of the Council or in the year of the Local Council Elections the number of Members of the Group after the conclusion of the Elections.

(d) APPLICATION OF PRINCIPLES IN APPOINTMENT OF COMMITTEES

In appointing Members to Committees the basic principles set out in this Standing Order shall have effect.

In respect of matters arising which are not dealt with in this Standing Order the spirit of the Local Government and Housing Act 1989, and Regulations made thereunder, which make provision for securing a political balance on Committees, shall be adhered to.

Where political groups may have an unequal numbers of places on Committees and where agreement is not reached by the groups on the allocation of the odd places, then the d'Hondt System shall be used to determine the choices available to the political groups.

Any other matters of detail which may arise for decision out of the application of this Standing Order shall, in the event of agreement not being reached between the various political groups, fall to be determined by the Council.

SPECIAL COMMITTEES

- 38 The Council may from time to time in addition to the Standing Committees appoint Special Committees for any particular purposes.

Provided that in the event of the reference to a Special Committee including matters which form part of the business of a Standing Committee the powers of the Standing Committee in reference to the matters so referred shall, if the Council so direct, remain in abeyance for such time and subject to such conditions as the Council may determine.

QUORUM

- 39 The quorum of every Committee shall be five.

In the case of Committees meeting jointly the quorum shall be one-quarter of the total number of the Members disregarding fractions.

TERM OF APPOINTMENT OF COMMITTEES

- 40 The period of the continuance of every Committee shall be until the date of the holding of the next succeeding Annual Meeting of the Council after appointment or until the reference thereto has been discharged or the period of office of the Committee shall be determined by the Council whichever shall first happen.

MEETINGS OF STANDING COMMITTEES

41 Committees shall meet on a monthly basis.

Unless in cases of emergency Committees shall not meet during the month of July in any year. During that month the business of the Council managed by the Committees shall, where circumstances render it necessary, be discharged by the Chief Executive and Town Clerk or, in his/her absence, his/her deputy acting upon recommendations made by the Directors of Departments, or in their absence, the relevant Heads of Services. If, however, any matter arises, which in the opinion of the Chief Executive and Town Clerk or his/her Deputy, ought properly to be placed before a Committee for consideration, the Chief Executive and Town Clerk or his/her deputy, in consultation with the Chairman or in his/her absence the Deputy Chairman of the Committee concerned shall, if necessary, call a meeting of the Committee for that purpose.

ELECTION OF CHAIRMAN AND DEPUTY CHAIRMAN

- 42 (a) The Chairman and Deputy Chairman of every Standing Committee will be appointed at the Annual Meeting of the Council or whenever a vacancy occurs at the next meeting of the Council thereafter.
- (b) All posts of Chairman and Deputy Chairman of Committees will be allocated on the basis of the d'Hondt system of proportionality. Posts will be allocated singly and successively on the basis of the highest average. The number of Members of each political group will be divided initially by one and thereafter by one more than the number of posts allocated to such group until all posts are allocated.
- (c) The membership of a political group will be taken to be the number of Members of the group on 1st May immediately before the Annual Meeting of the Council or in the year of the Local Council Elections the number of Members of the group after the conclusion of the Elections. All Chairmen and Deputy Chairmen will remain in post until the next Annual Meeting of the Council or in the year of the Local Council Elections to the date of the Elections even if the membership of the political groups changes during the course of their period of office.
- (d) The six posts of Chairman and the six posts of Deputy Chairman of the Standing Committees will comprise a pool. All posts in the pool will be allocated on the basis of paragraphs (a), (b) and (c).
- (e) In each Council term, when allocating posts under the d'Hondt system, where political groups have an equal number of Members the first or earlier choice will be given to the political group bearing the name of the party which polled the higher number of first preference votes at the Local Council Elections for the City of Belfast prior to the Annual Meeting of the Council at which the Chairmen and Deputy Chairmen are appointed. In the third year of that Council term, provided that the numbers of Members of such groups are still equal, the first or earlier choices shall pass to the groups which had the second or later choices at the beginning of the term.
- (f) No political group shall hold the same post for more than two years in a four-year term and groups must make their selections on the basis of this principle provided that a group shall not be required to select a post of Deputy Chairman if a post of Chairman is available and provided that a group may select the same post if no other post is available to it.
- (g) The Chairman and Deputy Chairman of any Standing Committee shall not come from the same political group unless in the circumstances that a group has no other choice available to it.

- (h) A Member of the Council shall not at the same time be -
 - (i) Chairman of more than one Standing Committee
 - (ii) Deputy Chairman of more than one Standing Committee
 - (iii) Chairman of one Standing Committee and Deputy Chairman of another Standing Committee.
- (i) If the Chairman and Deputy Chairman of a Committee are not in attendance at a particular meeting or are otherwise not able to chair the meeting the Committee shall appoint another Member to chair the meeting.
- (j) To facilitate the selection of posts each of the political groups shall nominate its Leader or other Member of the group to liaise with the Chief Executive (or his nominee). The selection of posts to be appointed at the Annual Meeting of the Council will take place in May each year. In the year of the Local Council Elections the selection of posts will take place after the Elections in a period which will be determined by the Chief Executive. In each year a report will be submitted to the Annual Meeting of the Council in June. This report will indicate the choices made by the various political groups. The Leader or nominated Member from each political group must make his or her selections within time-frames set by the Chief Executive (or his nominee). Failure to do this may result in a choice being passed to the next available group.
- (k) The Leader or other nominated Member of each political group will be required to notify the Chief Executive (or his nominee) not less than three days prior to the Annual Council Meeting of the Members of his or her political group who are to fill the posts of Chairman and Deputy Chairman which they have selected under the d'Hondt system.
- (l) The Leader of a political group shall nominate to the Chief Executive within ten days a replacement from amongst the Members of his or her group if a Chairman or Deputy Chairman of a Committee or Sub-Committee who is a Member of that group resigns or ceases to be a Member of the Council.

OTHER MEMBERS MAY ATTEND COMMITTEES

- 43 Members of the Council desirous of attending Committees other than those of which they are Members shall be at liberty to do so. They may be permitted by the Chairman to speak on any question before the Committee, but not to vote or take any other part in the proceedings.

VOTING

- 44 All questions at a Committee shall be decided by a majority of the Members present and voting by show of hands, unless otherwise resolved by the Committee before a vote is taken. The Chairman may vote and shall, in addition, have a casting vote in the case of equality of votes.

This Standing Order is subject to the provision of Article 32 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1992.

OTHER COMMITTEE PROCEDURE

- 45 The Standing Orders relating to the procedure at meetings of the Council shall, in so far as they are applicable, govern the proceedings at meetings of Committees, subject as hereinbefore mentioned and provided that the restrictions as to speaking in the Council shall not apply, and that members of the public shall not be admitted except by way of deputation.

DUTIES OF COMMITTEES

46 The Standing Committees shall be responsible to the Council for the matters described hereunder and shall control the various Departments which carry out the functions of the Council, that is to say:-

(a) THE STRATEGIC POLICY AND RESOURCES COMMITTEE

- (i) The Strategic Policy and Resources Committee shall be the Council's main instrument of policy. It will be responsible for setting the strategic direction of the Council and corporate priorities through the development of the corporate plan.
- (ii) It will allocate resources to ensure that corporate priorities as agreed in the corporate plan are implemented. This will include approving the Committee/ Departmental Plans of the Council and receiving regular reports on progress achieved in relation to the priorities and objectives listed.
- (iii) It will initiate debate and analysis on substantial policy issues which may have a significant impact on the city and/or the role of local government.
- (iv) It will agree strategies for effective partnership working with key stakeholders, including the development of appropriate community planning processes.
- (v) It will monitor the performance of the Council in delivering its agreed objectives and outcomes.
- (vi) It will ensure that the organisational, business, management and employee policies and procedures of the Council are such as to make the most efficient contribution to achieving the Council's objectives and shall keep these under review in light of changing circumstances.
- (vii) It will determine all matters relating to capital and revenue financing and borrowing and will recommend to Council an overall finance strategy, the annual revenue and capital budgets and the rate to be levied, in line with the Council's financial regulations and guidance. It shall specifically:
 - (a) establish and oversee an Audit Panel to provide assurance on the organisation's risk, governance and audit/value for money arrangements.
 - (b) monitor on a regular basis the financial performance of the organisation.
 - (c) present annually to the Council the Abstract of Accounts.
 - (d) oversee the general control of the accounting and internal auditing systems of the Council, including services undertaken for other Public Authorities on payment of an appropriate charge.
 - (e) manage the banking arrangements of the Council.
 - (f) administer and manage the Council's loans fund scheme and all other matters relating thereto in accordance with Section 72 of the Local Government Act (Northern Ireland) 1972.
- (viii) Other responsibilities shall include:
 - (a) the preparation of Standing Orders and instructions for regulating the proceedings of the Council and its Committees.
 - (b) civic hospitality and the provision of services for the Lord Mayor and the Deputy Lord Mayor.

(c) the promotion of equality, diversity and good relations.

- (d) the control of Human Resources, Business Improvement Services and Information Services Belfast which services may also undertake assignments for other Public Authorities on payment of an appropriate charge.
- (e) the care, control and management of the City Hall and other premises vested in this Committee.
- (f) the Registration of Births, Deaths and Marriages, and Civil Partnerships.
- (g) Small Dwellings Acquisition Acts.
- (h) Corporate Communications
- (i) the promotion of and opposition to Parliamentary Bills.
- (j) the procurement of all common supplies and services when co-ordinated purchasing is considered advantageous.
- (k) dealing with all matters relating to land and buildings owned, rented or proposed to be acquired by the Council, including the land development strategy and review of property holdings in a regularly updated Asset Management Plan.
- (l) making provision for advising all Committees of the Council in respect of valuation and purchases of property and other matters relating thereto.
- (m) making provision for the erection and execution of all building and other works and services carried out whether by contract or direct labour.
- (n) making provision for the registration of all landed property of the Council and for the supervision and checking of all rents payable or collected by the Council and of all rent accounts and rates as furnished to the Council.
- (o) the maintenance and repair of Council buildings, properties and vehicles.
- (p) management of all surplus land and the letting and disposal thereof in connection with all Committees of the Council.
- (q) control of advertising on Council property.
- (r) the control of insurance of all Council property and liabilities.
- (s) all business and matters of a general character not entrusted to or cognate to the business of any of the other Committees; and in this regard shall suggest to the Council, from time to time, any new business which, in its opinion, is important in the public interest.

(b) THE DEVELOPMENT COMMITTEE

The Development Committee shall provide a focus for the Council's role, remit, relationships and profile in the development and regeneration of the City and shall consider initiatives and issues which impact upon the future development of the City.

Specific responsibilities include:-

Economic development.

Development of the arts.

Cultural and heritage issues.

Tourism development and promotion.

Promotion of Belfast.

European issues.

Overseeing major developments such as the Gasworks site, St George's Market and the new street markets which enhance the Council's development role.

Transportation and energy issues.

Co-ordination and promotion of major events within the City.

Provision and maintenance of museums and art galleries under the Museums (Northern Ireland) Order 1981.

The control, management and operation of the Belfast Waterfront and Ulster Halls (in respect of which the Development Committee shall have delegated authority from the Council in relation to operational issues).

Development and Management of Community Facilities.

Community Work and Development.

Play Development.

Compilation and analysis of social data for use by Council and neighbourhoods.

Travellers' issues.

The management of the Council's Markets.

Erection of bus shelters under the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985.

(c) THE HEALTH AND ENVIRONMENTAL SERVICES COMMITTEE

The Health and Environmental Services Committee shall be responsible for all of the Council's public health, waste management and building and environmental control functions, excepting those matters which have been expressly assigned to the Licensing Committee or those matters which the Director of Health and Environmental Services considers appropriate to refer to the Licensing Committee.

Specific responsibilities include:-

The administration and enforcement of legislation governing the safety, composition and labelling of food and the hygiene of premises.

Control of premises supplying food.

The administration and enforcement of the Council's powers and duties under the Food and Environment Protection Act 1985.

Health promotion and public education and information programmes in all environmental matters.

Exercising the Council's powers in relation to the sampling of public and private water supplies.

Exercising the Council's powers in relation to the monitoring and control of pollution and contaminated land.

The inspection of aircraft, ships and dockside premises and the administration and enforcement of statutory controls governing the importation of any hazard to public health.

The administration and enforcement of the Council's powers and duties under the Public Health Acts.

The administration and enforcement of the Council's powers to regulate the operation of hairdressing establishments.

Exercising the Council's powers relating to the control and eradication of rodent and insect pests and the disinfection and cleansing of filthy or verminous persons, articles and premises.

The administration and enforcement of statutory controls for the protection of consumers against the supply of dangerous goods.

The administration and enforcement of statutory controls over shop opening hours.

The administration and enforcement of controls over the consumption of alcohol in designated places and the sale of tobacco to young persons.

Control of the Practice of Acupuncture, Tattooing, Ear-piercing and Electrolysis.

The administration and enforcement of the Dogs (Northern Ireland) Order 1983 and all related legislation.

The administration and enforcement of the Health and Safety at Work (Northern Ireland) Order 1978 and all related legislation.

Carrying out of burials in accordance with the provisions of the Welfare Services Act (Northern Ireland) 1971.

The administration and enforcement of the Council's powers and duties under the Rent (Northern Ireland) Order 1978.

The administration of the Caravans Act (Northern Ireland) 1963.

Responding to requests for Property Certificates.

Exercising the Council's powers in relation to promotion of safety in the home.

The administration of the Council's Consumer Advice Service.

The management and delivery of refuse collection, street cleansing and public convenience services.

Exercising the Council's powers for improving local environmental quality in relation to housing legislation, management of controlled waste, emergency planning and community safety and anti-social behaviour, clean neighbourhoods and other environmental or regulatory issues not falling within the remit of any other Committee.

Collection and disposal of abandoned motor vehicles.

Securing adequate provision for the recycling, treatment and disposal of commercial and domestic waste.

The administration and enforcement of the Building Regulations (Northern Ireland) Order 1979 and any regulations made thereunder.

The administration and enforcement of legislation relating to dangerous places and structures and to derelict properties.

The administration and enforcement of the Petroleum (Regulation) Acts (Northern Ireland) 1929 and 1937 and any Orders and Regulations made thereunder.

The administration and enforcement of the Cinemas (Northern Ireland) Order 1991 and any Regulations made thereunder.

The administration and enforcement of the provisions of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985, and any regulations made thereunder, relating to:

- removal of graffiti and fly posters,
- control of opening hours of hot food bars.

The naming of streets and the numbering of properties in streets.

Administration of the provisions of the Fire Services (Northern Ireland) Order 1984 relating to statutory consultation between the Council and the Fire Authority for Northern Ireland on fire safety matters in buildings.

Administration of the procedural guidance, Fire and Building Regulations, as it applies to Northern Ireland.

The provision of a public service in response to property enquiries and for researchers wishing to use the Council's building archives.

The provision of advice and information concerning public health, building and environmental matters.

(d) THE LICENSING COMMITTEE

The Licensing Committee shall be responsible for the consideration of all matters pertaining to policy and legislation in relation to licensing issues.

The Licensing Committee shall have delegated authority for determining the following matters:

- (i) The Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985

Entertainment Licences

Applications for the grant of licences

Applications for the renewal, transfer or variation of licences where objections are received

Suspension and revocation of licences

Applications for a waiver to permit entertainment involving striptease or nudity.

Sex Establishments

Applications for the grant of licences

Applications for the renewal, transfer or variation of licences

Revocation of licences

- (ii) The Betting, Gaming, Lotteries and Amusements (Northern Ireland) Order 1985

Applications for the grant of amusement and pleasure permits

Registration of Societies in relation to the running of lotteries.

(iii) Street Trading Act (Northern Ireland) 2001

Designation of streets or part thereof
Applications for the grant of licences
Applications for the renewal, transfer or variation of licences where objections are received
Revocation of licences
Setting of licence fees

(iv) administration of the provisions of the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996 relating to entertainments and liquor licensing in licensed premises and registered clubs.

(v) such other licensing matters as the Director of Health and Environmental Services considers appropriate to be addressed by the Licensing Committee.

In addition to the foregoing the Committee shall be responsible for determining such other matters of a licensing nature as the Director of Health and Environmental Services in consultation with the Director of Legal Services, deems appropriate.

Whilst the Committee has full delegated authority in relation to licensing decisions it may reconsider any decision referred to it by the Director of Health and Environmental Services in consultation with the Director of Legal Services.

The Committee shall have further responsibility (on a non-delegated basis) for the consideration of all business in relation to policy and legislation concerning licensing matters.

(e) THE PARKS AND LEISURE COMMITTEE

The Parks and Leisure Committee shall be responsible for the planning and delivery of the Leisure, Parks and Cemeteries functions:-

Specific responsibilities include the control and management of:-

Indoor Leisure and Recreation Centres and the organisation of the activities associated therewith.

Belfast Castle/Malone House.

The Zoological Gardens.

Burial Grounds/Crematorium.

It shall also be responsible for:

The development and upkeep of public parks, play areas, open spaces, recreation grounds and allotments for which the Committee has responsibility.

Advising the Council and Committees on all aspects of sporting activities.

Tourist caravan and camping sites.

The upkeep of the grounds of other Committees and the landscaping thereof and when requested the carrying out of similar works on behalf of other public authorities at an appropriate charge.

The assertion, protection and maintenance of public rights of way, the creation of new paths and long distance routes and the securing of public access to areas of open country for recreational purposes under the Access to the Countryside (Northern Ireland) Order 1983.

The administration of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985.

Assistance to groups in relation to leisure facilities, events and services.

(f) THE TOWN PLANNING COMMITTEE

Shall be responsible for:-

Considering applications for permission to carry out development within the area of the Council and formulating views thereon for submission to the Department of the Environment for Northern Ireland, the Committee having delegated authority from the Council in this regard where its decisions are unanimous.

Considering and commenting on housing development programmes and proposals submitted by the Government and the Northern Ireland Housing Executive.

FINANCIAL PROVISIONS

- 47 Each Committee shall submit to the Strategic Policy and Resources Committee a programme of capital expenditure and estimates of income and expenditure on revenue account for such future period(s) and in such form and by such date(s) as the Strategic Policy and Resources Committee shall require.
- 48 The Strategic Policy and Resources Committee shall consider the effect of these programmes and estimates upon the Council's financial resources and, after consultation on any proposed amendment, shall submit them to the Council for approval with a recommendation of the rate to be levied for the ensuing financial year.

BUDGETARY CONTROL

- 49 All Committees shall regulate their receipts and payments to accord with the revised estimates finally approved by the Council.
- 50 A Committee may not incur expenditure which cannot be met from the amount provided in the revenue estimates under that specific heading unless an equivalent saving can be made under another heading and the approval of the Director of Corporate Services is obtained.
- 51 Nothing in these Standing Orders shall prevent a Committee from incurring expenditure which is essential to meet any immediate needs created by a sudden emergency.

CAPITAL EXPENDITURE

- 52 A Committee shall not undertake any new capital project not included in the Council's Capital Programme until the project has been considered and approved by the Strategic Policy and Resources Committee and the Council.

CORPORATE SEAL

- 53 The Corporate Seal of the Council shall be kept in a safe place at all times when not in use.
- (a) Every document sealed shall be attested and a record kept in a book containing particulars of the documents sealed.

- (b) The Corporate Seal shall not be set to any document unless a resolution of the Council shall be passed in that behalf or unless the Council shall have passed a resolution authorising any particular Committee to affix the Common Seal to any particular documents; but a resolution of the Council (or of a Committee approved by the Council) 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, or any other matter or thing, shall be sufficient authority for the Lord Mayor or his/her Deputy or Chief Executive and Town Clerk to affix the Corporate Seal to any document necessary to give effect to such resolution.

REGULATIONS AS TO EMPLOYMENT

CANVASSING

- 54 Every advertisement inviting applications for a new or vacant position in the service of the Council, or for any appointment which rests with the Council, shall prohibit canvassing in any form, oral or written, direct or indirect.

The breach of the terms of this Standing Order on the part of a candidate, if proved to the satisfaction of the Committee concerned, shall disqualify him or her for appointment.

EMPLOYMENT OF RELATIVES

- 55 A relation of any officer or servant of the Council shall not be appointed or engaged or recommended for appointment or engagement in any Department except with the consent of the Strategic Policy and Resources Committee - such consent to be recorded in the minutes of that Committee.

PAYMENTS TO OFFICERS UNDER DIFFERENT COMMITTEES

- 56 A Committee shall not make any payment in respect of the service of an officer attached to a Department under another Committee except by arrangement.

EMPLOYEES AND COUNCIL ELECTIONS

- 57 Whilst the Council concedes to all officers and servants employed by it the fullest liberty of private judgement in the exercise of their franchise it is ordered as a matter of discipline that they shall not be permitted to take any public part in support of or in opposition to any candidate at the Elections of the Council.

PROPERTY, PURCHASES, LEASING

REVIEW OF LETTINGS

- 58 All lettings capable of being determined on notice shall be reviewed at least every three years either by tender or auction or by valuation.

ADJUSTMENT AMONGST COMMITTEES

- 59 Any Committee occupying Council property taken from another Committee or not specially acquired out of their own funds shall pay out of their own funds, by way of purchase or rent for the same, such sum as shall represent the proper market value thereof.

NOTIFICATION OF ACQUISITION OR DISPOSAL OF PROPERTY

60 A Committee acquiring any land or property or holding land or property which becomes surplus shall furnish particulars thereof to the Strategic Policy and Resources Committee.

CONTRACTS

INTRODUCTION

In these Standing Orders:-

- (a) the expression 'the Council' shall include where appropriate a Committee or person acting in accordance with delegated authority on behalf of the Council.
- (b) 'Chief Officer' shall mean the head of the Department concerned with any particular contract.
- (c) 'the statutory amount' shall mean £30,000 (exclusive of VAT) or such other amount as shall be determined from time to time by the Department of the Environment for Northern Ireland under Section 100 (1) of the Local Government Act (Northern Ireland) 1972.

COMPLIANCE

- 61 Every contract governed by these Standing Orders shall comply with the relevant requirements of national and European Community legislation.

EXCEPTIONS

- 62 Exceptions from Standing Orders relating to contracts can only be allowed:-

- (a) by direction of the Council acting on a recommendation of a Chief Officer that the exception is justified in special circumstances; or
- (b) by a Chief Officer certifying that there is an extreme urgency, and provided that he/she has first consulted the Chairman of the appropriate Committee and the Director of Corporate Services, and that the action is subsequently reported to the next meeting of that Committee;
- (c) in the case of purchases or sales by auction or at public fairs or markets, or from or to a Government Department, Local Authority or other public body.

ESTIMATES

- 63 Before entering into a contract for the execution of work which is likely to cost more than the statutory amount, the Chief Officer shall obtain a written estimate of the probable expense and also, where practicable, an estimate of annual maintenance expenses.

TENDERING

- 64 Every contract for the supply of services, goods or materials, or the execution of work, and which is likely to exceed the statutory amount in value shall, subject to permitted exceptions, be made subject to tender in accordance with one of the following procedures:-

(i) **OPEN TENDERS**

At least ten days' public notice must be given in more than one local newspaper circulating in the Council's district and in any other newspapers or trade journals as the Chief Officer considers appropriate. The advertisement must state the nature and purpose of the contract, and indicate a date by which tenders must be received. Where appropriate, the advertisement of contracts must comply with the requirements of European Community procurement legislation in regard to advertising in the Official Journal.

(ii) **SPECIAL SELECT LIST**

Public notice must be given in respect of a particular contract in the manner set out in paragraph (i) inviting applications from interested persons to be placed on an approved list.

(iii) **STANDING SELECT LIST**

Tenders must be invited from amongst a list of persons who have been invited by public notice given in similar manner as in paragraph (i) to have their names placed on a list of persons able and willing to tender for contracts for the supply of goods or materials of specified categories, values or amounts, or for the execution of specified categories of works. This select list shall:-

- (a) be compiled and maintained by the Chief Officer;
- (b) contain the names of all persons who wish to be included in it and who are approved by the Council;
- (c) indicate whether a person whose name is included in it is approved for contracts for all, or only some, of the specified categories, values or amounts; and
- (d) be amended as required from time to time and reviewed following public notice in the manner set out in paragraph (i) at intervals not exceeding five years. Where practicable, each person whose name appears on an existing list shall be asked if he/she wishes his/her name to remain in the reviewed list.

Where a Select List is formed, invitations to tender for the contract shall be sent to not less than four of the persons included in the list, to be selected by the Chief Officer and approved by the Council, or if fewer than four persons have applied and are considered suitable to all those persons.

It shall be a condition of tendering, and of inclusion or retention on a Select List, that a contractor shall not be an unqualified person for the purposes of Sections 41 to 43 of the Fair Employment (Northern Ireland) Act 1989.

A Register of Tenderers and Contractors shall be kept recording the names of tenderers and contractors who have withdrawn their tenders after acceptance or who have committed a serious breach of their contracts, together with details of the facts. The Register shall be consulted when tenders are being considered in order that any record therein of a tenderer shall be taken into account when considering his tender.

ENGAGEMENT OF CONSULTANTS

- 65 (a) It shall be a condition of the engagement of any architect, engineer, surveyor or other consultant (who is not an officer of the Council) who is retained to supervise a contract on behalf of the Council that he/she will -
- (i) comply with these Standing Orders;
 - (ii) produce for inspection to the Chief Officer on request all records kept by him/her in relation to the contract.
- (b) An architect, engineer or other consultant on contracts shall not receive any payment in commission or fees on any extra work over the approved contract price unless the Council approves the extra work beforehand.

ADVERTISING AND RECEIPT OF TENDERS

- 66 (a) All Council advertisements inviting tenders or inviting applications to be included on a Select List shall be signed by the Director to whom all tenders shall be addressed.
- (b) Advertisements shall state -
- (i) that a tender will only be considered if it is received in a plain sealed envelope marked 'Tender for (subject)', with no marking on the envelope to indicate the identity of the sender;
 - (ii) that tenders sent by post should be registered or sent by recorded delivery;
 - (iii) that tenders must reach the office of the Director by a certain time.
- (c) Any tender received after the specified time shall be returned promptly to the tenderer. The tender may be opened to ascertain the name of the tenderer but no details of the tender shall be disclosed. However, a tender may be considered where the Director is satisfied that there is evidence of posting in time for delivery by the specified time in the normal course of postal delivery.
- (d) As soon as a tender is received, a numbered receipt shall be given and recorded by the Director and the receipt number shall be marked on the tender. Pending their opening, all tenders shall be kept securely in the custody of the Director.
- (e) Tenders for any contract shall be opened by the Director in sufficient time to enable them to be considered by the Committee concerned. Every tender shall be checked against the register of receipts to ensure that all tenders received have been accounted for and shall be initialled by the person opening same. The tenders shall then be submitted for consideration by the Committee.
- (f) Where examination of tenders reveals errors or discrepancies which would affect the tender figure(s) in an otherwise successful tender, the tenderer must be given details of such errors and discrepancies and afforded an opportunity of confirming or withdrawing his/her offer. If the tenderer withdraws, the next tenderer in competitive order is to be examined and dealt with in the same way. Any exception to this procedure may only be authorised by the Council after consideration of a report by the Chief Officer.
- (g) A tender other than the lowest tender, if payment is to be made by the Council, or the highest tender, if payment is to be received by the Council, shall not be accepted until the Council shall have considered a report from the Chief Officer as to the reasons for his/her recommendation.

SEALING, DAMAGES AND BONDS

- 67 (a) Every contract which exceeds the statutory amount in value shall be made under the Corporate Seal.
- (b) Every written contract shall specify -
- (i) the work to be done, or the services to be provided, or the goods or materials to be supplied;
 - (ii) the price to be paid, with a statement of discounts or other deductions; and
 - (iii) the time or times within which the contract is to be carried out.

- (c) Every contract which exceeds the statutory amount in value and which is for the execution of works (or for the supply of goods or materials by a particular date or series of dates) shall provide for liquidated damages or the making good by the contractor of any loss incurred by the Council in case the contract is not duly performed.
- (d) Where a contract is estimated to exceed a statutory amount in value and is for the execution of works (or for the supply of goods and materials by a particular date or series of dates), a Performance Bond or other adequate security shall not be required unless there are sound commercial reasons for their use.

SPECIFICATIONS AND STANDARDS

- 68 (a) All tenders for the execution of works or the supply of goods or materials shall be based so far as possible, except to the extent that the Council in a particular case otherwise decides, on a definite specification.
- (b) All written contracts shall require, as a minimum, that goods and materials shall be in accordance with the relevant British Standards Institution and European Community standards and specifications.

OTHER CONTRACT CONDITIONS

- 69 Every written contract for the execution of works or for the supply of goods and services and having a value exceeding the statutory amount shall provide that the Council can cancel the contract and recover any resulting losses if the contractor or his/her employees or agents with or without his/her knowledge:-
- (a) does anything improper to influence the Council to award him/her the contract; or
 - (b) commits an offence under the Prevention of Corruption Acts 1889 to 1916 or Sections 46 or 47 of the Local Government Act (Northern Ireland) 1972.

CONTRACTS WITH MEMBERS OR OFFICERS OF COUNCIL

- 70 The Chief Executive and Town Clerk shall report to the Council in any case where it comes to his/her notice that a Member or officer of the Council has any interest in any transaction with the Council.

GENERAL

AMENDMENT TO STANDING ORDERS AND REPEALS

- 71 These Standing Orders may be altered or rescinded by resolution of the Council passed at one meeting and confirmed at another.

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