

COMHAIRLE CHONTAE CHILL CHAINNIGH KILKENNY COUNTY COUNCIL



BUAN-ORDUITHE STANDING ORDERS

IMEACHTAÍ NA COMHAIRLE A RIALÁIL
REGULATING THE PROCEEDINGS OF THE COUNCIL

Adopted 7th June 2019

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Amended on 15th July, 2019

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Amended on 16th November, 2020

We, the County Council of the County of Kilkenny, in pursuance of the powers vested in us under Part 6 (Sections 44 to 47 inclusive) and Paragraph 16 of Schedule 10 of the Local Government Act, 2001 and of every and any other power hereunto enabling, hereby make the undermentioned Standing Orders for the regulation of our proceedings and business, other than proceedings the regulation of which is provided for by or under Statute

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- DEFINITIONS -

1. In these Orders **“Council”** means the County Council of the administrative County of Kilkenny.
2. **“Member(s)”** mean person(s) elected or chosen to the office of Councillor of the County of Kilkenny.
3. **“Cathaoirleach”** means the Councillor so elected at the Annual Meeting of the Council.
4. **“Act of 2001”** means the Local Government Act, 2001 (S.I. No. 37 of 2001) and **“Act of 2014”** means the Local Government Reform Act 2014 (S.I. No. 1 of 2014).
5. **“Chief Executive”** means the Chief Executive for the Administrative County of Kilkenny, or in his/her absence, his/her duly appointed Deputy.
6. **“Meetings Administrator”** means the person assigned responsibility for meetings administration, i.e. Senior Executive Officer, or in his/her absence, his/her duly appointed Deputy.
7. **“Clear Day”** means the day upon which the notice is served and the day of the meeting cannot be counted.
8. **“Excluded Day”** means a day which is a Saturday, Sunday or public holiday (within the meaning given by the Organisation of Working Time Act, 1997) or any other day on which the principal offices of the local authority concerned are closed.
9. Unless otherwise specifically provided the word **“month”** when used in Resolutions of the Council, Standing Orders and Regulations of the Council, shall be deemed to mean a calendar month.

- CIVIC RECEPTIONS -

Civic Honours (Freedom of Kilkenny)

- A Member shall formally submit a proposal in writing to the Corporate Policy Group at least 10 days before the meeting of the Corporate Policy Group. The proposal shall be made in private and “in committee”.
- Proposal shall be considered by the Corporate Policy Group and considered by all parties. If agreed by the Corporate Policy Group and by all parties following consultation with their members, then the matter will be considered at a full Council Meeting.
- It is considered that the Freedom of Kilkenny can only be bestowed in exceptional circumstance, to honour people who have made a major and exceptional contribution to the life of the people of the county.
- All deliberations in relation to civic honours shall be “in committee” except the final stage of same, i.e. formal consideration of bestowal of honours at Council Meeting.

- CIVIC RECEPTION -

- A member shall notify the Cathaoirleach of the intention to propose a Civic Reception, prior to the holding of the monthly meeting of Kilkenny County Council.
- The proposal shall be considered by the Council “in committee” following the completion of the business on the agenda for the meeting.
- A recipient may only be afforded one civic reception within the overall County of Kilkenny.
- The above Civic Honours/Receptions are to be awarded in accordance with the Protocol for Civic Honours/Receptions as agreed by the Elected Members.

KILKENNY COUNTY COUNCIL

- STANDING ORDERS -

REGULATING THE PROCEEDINGS OF THE COUNCIL

1. Meetings of the Council

Unless upon any occasion when it is otherwise fixed by statute or by resolution of the Council, Ordinary Meetings of the Council shall be held on the Third Monday of each month with the exception of August. A schedule of Ordinary Meetings of the Council for the ensuing year shall be approved at each Annual Meeting.

2. Annual Meeting

In every year in which a local election is held the Annual Meeting shall be held on the fourteenth day after the polling day or, where the poll is for any reason countermanded, interrupted or adjourned, after the day on which the poll is completed or the fresh poll is held.

In every other year (i.e. not a local election year) the local authority shall hold an annual meeting on such day, in the month of May or June, as the local authority members by resolution appoint.

Whenever an annual meeting of a local authority is for any reason not held on the day appointed or fixed by or by virtue of this paragraph for the holding of such meeting, the meetings administrator shall, following consultation, if practicable, with the Cathaoirleach, or if the office of the Cathaoirleach is vacant or the Cathaoirleach is unable to act, with the Leas-Cathaoirleach, convene a meeting of the local authority for a convenient hour on the day which appears to such administrator to be the earliest convenient date for that purpose and a meeting so held shall be deemed for all purposes to be an annual meeting held on the day appointed.

In an election year the local authority shall publish a notice of its Annual Meeting in at least one newspaper circulating in its administrative area. The notice shall state the date of the annual meeting and where appropriate that the first business of the meeting will be the election of the Cathaoirleach. The notice shall also specify the joint bodies and other bodies to which the County Council is entitled to make appointments at that meeting or subsequently. The notice shall be in a form and published within the period prescribed by regulations.

At an Annual Meeting in an election year and until the election of the Cathaoirleach at such meeting, the Chair for this period shall be taken by the meetings administrator.

At an Annual Meeting in an election year the Meetings Administrator shall read out the names of persons duly elected as members of the local authority. Subject to this the election of a Cathaoirleach is to be the first business of an Annual Meeting and the next business, the election of a Leas-Cathaoirleach.

In the case of the Annual Meeting in an election year the business to be transacted after the election of the Cathaoirleach and the Leas-Cathaoirleach shall include the consideration of the election, appointment or nomination of members of joint bodies or other bodies elected, appointed or nominated by the local authority.

3. County Council Budget Meeting

The County Council Budget Meeting shall be held during the period prescribed by regulations for that purpose. (See Section 103 (2) (b) of the Act of 2001).

4. Special Meeting

(i) A requisition to have a special meeting of a local authority convened (*in this paragraph referred to as a "requisition"*) may be made-

- (a) by the Cathaoirleach,
- (b) if the office of Cathaoirleach is vacant, or the Cathaoirleach is unable to act, by the Leas-Cathaoirleach, or
- (c) by the Cathaoirleach on foot of a request presented to him or her by any 5 members.

(ii) Where the Cathaoirleach refuses or neglects to act on foot of a request referred to in subparagraph 4 (1) (c) within 7 days of it being presented to him or her, the members making the request may convene the meeting in accordance with this paragraph. The provisions of paragraph 6 of schedule 10 of the Act of 2001 apply in relation to calling of such meeting.

(iii) A requisition shall be made in writing and be delivered by the Cathaoirleach, the Leas-Cathaoirleach or in a case where subparagraph (2) applies by the members making the requisition, as the case may be, to the meetings administrator.

(iv) A requisition shall be signed by the person or persons making it, as the case may be, and shall-

- (a) contain as an agenda a statement of the business which it is proposed to transact at the meeting, and
- (b) specify a day, (other than an excluded day), which is not less than 3 clear days after the day on which it is received by the meetings administrator, for the holding of the meeting.

(v) On receipt of a requisition, the meetings administrator shall, unless it is a case to which subparagraph (6) applies, issue a notification under Standing Order 7 and give public notice under Standing Order 9 for the special meeting required by the requisition.

(vi) Where

- (a) a requisition under subparagraph (1) (c) specifies a day for the holding of a special meeting, and
- (b) an ordinary meeting of the local authority is to be held on a day within the period of 10 days after the day on which the meetings administrator receives the requisition,

the business stated in the requisition shall be considered at that ordinary meeting and the special meeting shall not be convened.

5. Hour of Meeting

The hour of Ordinary meeting of the Council shall be 3 p.m. or at such other hour as may from time to time be fixed by resolution of the Council. The Council shall rise not later than 6 p.m. unless a resolution of the Council is passed, prior to 6 p.m., to extend the time of rising for the purpose of completing the item then being discussed and that item only.

6. Place of Meeting and Address of Principal Offices

In so far as practicable the place for holding meetings of the Council shall be the principal offices of the County Council and meetings shall normally be held there, provided that the Council may from time to time by resolution appoint an alternative location for a particular meeting. The holding of meetings of the Council and any committees in a physical location where all or partial attendance in person will be the default position for meetings of the Council where statutory decisions are being made.

The address of the principal offices for the purposes of these Standing Orders is County Hall, John Street, Kilkenny.

7. Summoning of Meeting

A notification to attend a meeting, other than a County Council budget meeting shall (a) be sent or delivered to each member of the Council, (b) specify the place, date and time of the meeting, and (c) give not less than 3 clear days' notice.

A notification shall include or be accompanied by an Agenda listing the business to be transacted at the meeting. Subject to Standing Order 20 no business shall be transacted at a meeting other than that specified in the Agenda which relates to the meeting or business required by the Act of 2001, or otherwise by law to be transacted at the meeting.

An Agenda which has been sent or delivered for this purpose may be altered (*whether by way of addition, deletion or otherwise*) if an Agenda specifying the alteration is delivered or sent to each member not less than 3 clear days before the day on which the meeting is to be held.

In the case of a Special Meeting convened by requisition under Standing Order 4, a copy of the requisition shall be sent with the notification.

8. A notification shall have the signature of the meetings administrator and any document claiming to have that signature shall be deemed, until the contrary is proved to have been duly issued or given with the authority of the local authority.

Want of service or non-receipt of a notification by any member or lack of a signature or any other defect in the notification does not affect the validity of a meeting or of any act or thing done at the meeting.

For the purposes of this Standing Order "signature" includes a facsimile of a signature by whatever process reproduced or a printed version of the name of the meetings administrator.

9. Public Notice of Meeting

Public notice of the place, date and time of a meeting other than a County Council budget meeting shall be displayed not less than 3 clear days before the day of the meeting in or at the principal offices of the local authority in a position convenient for public inspection during normal office hours.

The Notice shall include the Agenda for the meeting or specify a place where the Agenda can be inspected and in the case of a meeting requisitioned under Standing Order 4 the Agenda shall include or be accompanied by a copy of the requisition.

Subject to any arrangements as it may make the County Council shall supply a copy of a public notice and agenda to the media or any other person.

10. Constitution of Meetings

The Chair shall be taken by the Cathaoirleach at a meeting of the Council within 15 minutes after the time appointed for such meeting or in his / her absence by the Leas-Cathaoirleach or otherwise by a Member called thereto by general agreement or chosen by vote of the members present to chair the meeting and such member shall leave the chair on the arrival at the meeting of the Cathaoirleach or Leas-Cathaoirleach.

11. The names of the members attending shall be recorded in the following manner - each member shall enter his/her name in the Attendance Register.
12. The quorum for a meeting of the County Council shall be 7, that is one-fourth of the total number of members of the County Council plus one or, where one-fourth of such total number is not a whole number, the quorum is the next highest whole number plus one.

Whenever a meeting of the local authority is abandoned owing to failure to obtain a quorum the names of those present at the time and place appointed for such meeting shall be recorded by the meetings administrator and they shall for all purposes be deemed to have attended a duly constituted meeting.

If a quorum is not present within 30 minutes after the time fixed for the meeting or at any time during the meeting, the meeting shall stand adjourned to a day to be named by the Cathaoirleach.

13. Order of Business

The Order of Business at all meetings other than Annual Meetings, County Council Budget Meetings and Special Meetings shall, subject to the provisions of any enactments, be as follows:

- (i) Confirmation of minutes
- (ii) Votes of Congratulations/Sympathy
- (iii) Business prescribed by Statute, Standing Orders or Resolutions of the Council for transaction at such meeting
- (iv) Urgent Correspondence
- (v) Business adjourned from previous meeting
- (vi) Fix dates and times of meetings
- (vii) Consideration of Reports and Recommendations of Committees of the County Council
- (viii) Other business set forth in the Notice convening the meeting
- (ix) Correspondence
- (x) Notices of Motion

In the case of a meeting convened for a special purpose the business specified in the Notification for such meeting shall be transacted and no other business.

At any ordinary meeting of the Council it shall be proper, if a majority of the members present and voting so decide, to take an item for consideration out of the sequence of listing on the Agenda, provided always that such decision shall not affect any business required by Statute to be done before any other business at the meeting.

Priority, as high as is practicable, shall be given to items which have been deferred or adjourned from a previous meeting.

13A Declaration of Interests

Any Member attending at a meeting of the Council or its sub-committees who has a disclosable pecuniary or other beneficial interest relating to any agenda item under Part 15 of the Local Government Act must declare it at the commencement of this agenda item and advise the Cathaoirleach and Members of his intention to leave the meeting. His/Her departure and reason for it must be noted in the minutes. The Meetings Administrator shall invite the Member to return to the meeting when the discussion and decisions relating to the item have concluded.

14. Confirmation of Minutes

Minutes of the proceedings of a meeting of the County Council shall be drawn up by the meetings administrator.

The Minutes shall include:

- (a) the date, place and time of the meeting,
- (b) the names of the members present at the meeting,
- (c) the names of the senior employees of the local authority present at the meeting,
- (d) reference to any report submitted to the members at the meeting,
- (e) where there is a roll call vote, the number and names of members voting for and against the motion and of those abstaining,
- (f) particulars of all decisions made and resolutions passed at the meeting,
- (g) such other matters considered appropriate.

A copy of the minutes of a meeting shall be sent or given by the meetings administrator to each member of the local authority.

Minutes of a meeting shall be submitted for confirmation as an accurate record of decisions taken at the next following ordinary meeting, where practicable, or where not, at the next following meeting and recorded in the minutes of that meeting.

When confirmed with or without amendment, the minutes of a meeting shall be signed by the person chairing the meeting they were submitted to for confirmation and any minutes claiming to be so signed shall be received in evidence without proof. When the question that they be confirmed is put from the Chair, a Member may object to any part thereof as not being an accurate record and upon a motion any question of altering the record shall be determined by the Council by majority vote of those members who were present at the appropriate meeting; provided that no entry shall be made in the Minutes of any protest other than a record of dissent, save in the form of a motion or an amendment.

Discussion on the minutes shall be confined solely to the accuracy of the minutes as a record of the decisions taken and those listed as having attended.

A copy of the minutes when confirmed in accordance with this Standing Order shall be open to inspection at the principal offices of the local authority and any person may inspect and make a copy of, or abstract from, the minutes during the usual office hours of the authority and will be available on the website.

15. Notices of Motion

Every Notice of Motion dated and signed by the Member or Members giving it shall be delivered to the meetings administrator by email, post or by hand and shall be recorded in the order of their receipt and shall appear on the Agenda in that order.

No Notice of Motion shall be set down on the Agenda for any meeting unless such Notice of Motion shall have been delivered to the meetings administrator by a method as described above at least 7 clear days before the date of such meeting.

16. If any Notice of Motion of which notice has been duly given relates to a matter normally dealt with by a Municipal District Committee or comes within the terms of reference of any Committee or Committees, it shall be referred to such Municipal District Committee or Committees as the meetings administrator may determine. Any dispute on such reference shall be determined the Members of the CPG with the Chair having the casting vote.
17. No member shall be permitted to have more than 2 motions (including adjourned motions) on the Agenda for any one meeting and the name of a member shall not appear more than twice on the Agenda as proposer or co-proposer of motions for any one meeting. Where at a meeting or any adjournment thereof more than one notice of motion appears on the Agenda to be proposed by one or more individual members, no second notice of motion of any such members shall be proposed until after every other member shall have proposed the sole or first notice of motion appearing in the member's name. A similar order of precedence shall apply to any further notices of motion remaining to be proposed by two or more members.

18. Motions to Amend or Revoke Resolutions

A motion to revoke or amend a resolution of the Council can only be made on notice inserted in the Agenda, and such notice shall specify the resolution to be revoked or amended and furnish the terms of the motion to be made; but no such motion shall be allowed to appear on the Agenda to revoke or amend any resolution of Council within six months of the date of the adoption of such resolution except with the written assent of not less than 7 members of the Council. A resolution may not be revoked at the meeting at which it has been adopted.

It shall be necessary for adoption of a motion to revoke or amend a resolution of the Council that not less than 12 members [being not less than one-half of the total number of members of the Council] vote in favour.

19. Subject to Standing Order 18 **any** matter decided by the local authority by motion on notice or on the report of a committee shall not be re-opened within 6 months of the date of such decision.

20. Motion for Purpose of Dealing with Urgent Business

Notwithstanding any other provisions of these Standing Orders a motion may be proposed without notice for the purpose of dealing with urgent business related to a function of the local authority, at the discretion of the Cathaoirleach or subject to the requirement that not less than 12 members [being at least one-half of the total number of members of the authority] vote in favour.

Urgent Business is defined as a matter that would arise between the sending of the notification and agenda for the meeting and the times of the actual meeting itself, requiring immediate action or attention. It must be established that the matter is:

- of such pressing need that it is impossible for the matter to be deferred whereby it could come before Council on notice in the normal fashion
- so immediate that it is not possible for such a motion to be proposed previously allowing it to come before the meeting on notice in the normal way
- that weight would have to be given to the unusual or novel nature of the matter to be discussed, its gravity and importance, the consequences of delay in dealing with the matter and in particular, whether the nature of the matter is such that circumstances will have irreparably changed, were the Council to insist that the matter should come before the Council in the normal way.

21. Adjournment of Council

A motion for adjournment of the Council may be made at any time and shall be determined without amendment and without debate, except that the mover of the Motion of adjournment and the mover of the Motion immediately affected by it, may each address the Council for not more than five minutes on the question of the adjournment; and when the Motion for adjournment is adopted, the meeting shall stand adjourned to a day then named or in the event of no such date being named, to the next occurring ordinary meeting.

A Special Meeting may be adjourned from time to time until its business is concluded.

The convening and adjournment of meetings of the County Council as a demonstration of sympathy should be carried out by reference to the following provisions:

An adjournment to another day of the next ordinary meeting of the Council will take place in the event of a death of the following:

- (a) The Cathaoirleach
- (b) Any elected Member of Kilkenny County Council
- (c) Members of the Oireachtas for the Constituency of Carlow - Kilkenny;
- (d) Diocesan religious leaders
- (e) The Chief Executive
- (f) National and International figures as advised by the Protocol Section of the Department of An Taoiseach.

If a death of the following occurs within three (3) days of the next ordinary Council meeting that meeting will be adjourned otherwise a special Meeting may be summoned to convey sympathy.

- (a) A former Cathaoirleach of Kilkenny County Council.
- (b) The immediate family of any Council Member (*father, mother, spouse, brother, sister, son or daughter*)

Any other deaths the Council may at any time decide, to a 15-minute adjournment at the next meeting of the Council.

Motions and Amendments

22. The proposer of a motion not listed in the Agenda or an amendment, and not in common form, shall upon moving the same deliver a copy to the Chair.
23. A motion, notice of which stands in the Agenda and which has been proposed and seconded, may be withdrawn only on leave obtained from a majority of the Council present at the meeting at the request of the member concerned. A motion may either be proposed by the member in whose name it stands or if he or she be absent, by any member authorised by him or her in writing to propose it on his or her behalf, but unless so proposed, and in the absence of a request in writing from the member in whose name it stands to postpone it, the motion shall be dropped and shall not again be set down in the Notice Paper except on fresh notice. A motion or an amendment when not seconded is dropped.
24. An amendment which has been proposed and seconded may be withdrawn only on leave obtained from a majority of the Council members present at the meeting at the request of the member concerned.
25. Every amendment shall be relevant to the motion on which it is moved and shall be either:
 - (a) to leave out words,
 - (b) to leave out words and insert or add others,
 - (c) to insert or add words.

An amendment shall not be in order if it is equivalent to a direct negative or if it is not in fact an amendment of the motion it purports to amend.

26. Whenever an amendment on an original motion has been moved and seconded, no second or subsequent amendment shall be moved until the first amendment shall have been disposed of, but notice of any second or subsequent amendment shall first have been given.
27. When an amendment is affirmed the original motion as amended becomes the substantive motion upon which any further amendment, of which notice has been given may be moved.
28. When an amendment is lost any further amendment of which notice has been given may be proposed, but only one amendment shall be at any time before the meeting and an amendment shall not be in order if the Chair rules it to be substantially the same as an amendment already lost.

Order of Debate

29. Except with the permission of the Chair no member shall address the Council for more than 3 minutes. A member may speak once upon any item on the Agenda or on any motion except a motion which is to be put without debate. The proposer of a motion has the right to reply whilst the motion remains before the Chair and when the proposer replies the debate on the motion is closed.
30. No member who has spoken on a motion may move or second an amendment, but when an amendment is moved and seconded, a member who has already spoken on the original motion may speak to the amendment.
31. A member may speak more than once on the same motion or amendment for the purpose only of submitting a point of order or making a personal explanation. The Chair's decision in determining a point of order or personal explanation shall be final.
32. The Chair shall ascertain that a motion is seconded before the proposer is permitted to speak to it.
33. A motion "that the Council proceed to the next business" may be made after any motion has been proposed and seconded. When made it shall be determined without amendment or debate and if it be affirmed the business interrupted by such motion shall not be proceeded with further at that meeting and unless the council otherwise determine shall be adjourned to the next ordinary meeting. The motion to proceed to next business shall not be made more than once during the debate on any question.
34. At any time during a discussion on a motion a member may move "that the question be now put" and if such leave be given by the assent of the majority of those present and voting, the motion shall be put, subject to the right of reply by the proposer of the original or substantive motion.
35. When two or more members at the same time offer to speak, the member called upon by the Chair shall have precedence.
36. A member while speaking shall address only the Chair.
37. A member speaking shall not be interrupted except upon a question of order, but may give way to a member desiring to make a personal explanation.
38. When a member seeks to make a point of order, the member then addressing the Chair shall give way until the question of order has been determined by the Chair, unless the former seeks to address the Chair upon the question of order.

39. The Chair is the sole judge of order in the Council and has authority to maintain order and enforce prompt obedience to his / her ruling. When during a debate the Chair rises, any member then speaking shall give way to the Chair.

Disorderly Conduct of Members

40. If at a meeting any member of the Council, in the opinion of the Chair notified to the Council, misconducts himself or herself by persistently disregarding the ruling of the Chair, or by willfully obstructing the business of the meeting, the Chair 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.
41. If in the opinion of the Chair any member has been or is disorderly by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively or by otherwise obstructing the business of the meeting, and the Chair has conveyed his or her opinion to the members present by naming the member concerned, then the Chair or any member may move "that the member named leave the meeting" and the motion, if seconded, shall be put and determined without discussion.
42. Where the Council decides that a member leave a meeting, that member shall immediately leave the meeting and shall not be entitled to speak or to take any further part in that meeting on that day.

The Chair shall not permit re-entry to that Member to this or subsequent meetings until such time as a written apology has been received and accepted by the Members.

43. Where in the opinion of the Chair there is general disorder which impedes the orderly transaction of business or where a member against whom it was resolved in accordance with SO 42 that he or she leave the meeting refuses to do so, the Chair may adjourn the meeting for such period as he or she considers necessary in the interests of order.

43A. Where following a motion under Standing Order 41 the member refuses to leave the meeting, and the meeting is adjourned under Standing Order 43, a further motion may be put that the member concerned was the cause of the meeting being adjourned.

43B. If following a motion under Standing Order 43A, the chair expresses the further opinion that the member has continued to

- be disorderly by disregarding the ruling of the chair, or
- behave irregularly, improperly or offensively, or
- otherwise obstruct the business of the meeting, and

the chair expresses this opinion to the members present by again naming the member concerned, then the Chair or any member may move "that the member named be suspended for [a specified period]" and the motion, if seconded, shall be put and determined without discussion. The period specified in this motion shall be not less than one month and not more than 6 weeks.

43C. Where at least two-thirds of the elected members present and voting decide that the member be suspended, he/she shall be suspended with immediate effect from all meetings of the council members and any committee of the council members, for the period specified in the motion.

43D. If within 3 months of the end of a period of suspension, where at least two-thirds of the elected members present and voting decide that the member concerned has again, or continued to

- be disorderly by disregarding the ruling of the chair, or
- behave irregularly, improperly or offensively, or
- otherwise obstruct the business of the meeting,

on the basis of a motion moved by the Chair or any member “that the member named be suspended for [a specified period]” in accordance with Standing Order 43B, and the motion, if seconded, shall be put and determined without discussion, he or she shall be again suspended with immediate effect from all meetings of the council members and any committee of the council members, for a period of at months, but not exceeding six months. The period specified in this motion shall be not less than 6 weeks and not more than 10 weeks.

43E. Notwithstanding, Standing Orders 43A to 43D, the council members may at any meeting subsequent to the imposition of the suspension, and during the period of suspension, decide by resolution to lift a suspension. Such resolution, whether under Standing Order 15 or Standing Order 20 shall be considered at the earliest point on the agenda possible, subject to the requirement under any enactment in relation to other specified business.

43F. The chair shall indicate to the meeting that the chief executive has sought consultations on arrangements for the exclusion, or where necessary, removal from the meeting, of any member the subject of a motion under this part of the Standing Orders. This shall be as a point of information only and there shall be no debate on this information.

44. No member shall address the Chair, unless from one of the seats reserved for the use of members.

45. **Deputations**

Deputations concerning specific policy issues may be received by the appropriate Strategic Policy Committee of the Council. Deputations may be received by the full County Council where issues of countywide concern are to be discussed or where the Council has by resolution decided to receive such a deputation.

No deputation shall be received unless a request for the deputation has been approved by the Council at a previous meeting.

Request for a deputation to be heard by the Council shall not be considered unless the subject matter to be raised is notified in writing on the motion of a member of the Council, or direct application by the body concerned, sent to the Meetings Administrator at least 7 clear days before the date of the meeting.

A deputation will be limited to three in number.

Subject to the direction of the Chair, 3 persons may speak on behalf of the deputation for not more than 10 minutes in total.

The deputation may only be questioned by members of the Council. The deputation shall not be entitled to ask questions.

When the members of a deputation have addressed the meeting, they shall withdraw from the meeting.

The Council may, by resolution, decide to receive a deputation without notice, subject to certain conditions, provided one half of the member’s present vote for the resolution.

46. Questions, Votes and Divisions

Every question shall be determined by a show of hands, unless three members request a division, in which case the names for and against the motion or amendment shall be taken down in writing and recorded in the Minutes.

47. Where the Chair has not formally declared the result of a vote, or is in doubt as to whether his / her declaration is right or wrong, s/he is entitled if s/he thinks fit to take a second vote on the matter, especially if s/he considers that through some misunderstanding the first vote did not properly represent the sense of the meeting at that time.
48. Each member present at a meeting of the Council shall have a vote unless prohibited by any enactment.
49. Without prejudice to any enactment or other provisions of these Standing Orders requiring either the presence of a specified number or proportion of the members or that a specified number or proportion should vote in favour for the doing of any particular act, all acts of the Council which are reserved functions or questions duly coming or arising before a meeting of the Council shall be determined - (a) by a majority of the members present and voting or where there is an equality of votes, by a second or casting vote of the person chairing the meeting (which person shall have and may choose to exercise such a vote).

Advice that Exercise of Reserved Functions should be by the Local Authority

- 49A. Where the Chief Executive, following consultation with the Cathaoirleach or Leas-Chathaoirleach advises that any proposed exercise or performance of a reserved function should be by the local authority, no motion or resolution purporting to exercise or perform such function shall be put.
- 49B. A motion to decide to refer the matter to the Corporate Policy Group as to whether the function should be exercised and performed by the elected council of the local authority or by the municipal district members may be proposed and seconded at the meeting and put for decision at that meeting in accordance with Standing Orders 22 and 23.
- 49C. Any reserved function the subject of advice from the Chief Executive in accordance with Standing Order 49A and referred to the Corporate Policy Group in accordance with Standing Order 49B shall not be exercised or performed unless and until the Corporate Policy Group indicates that it may be so exercised by the council members.

50. Attendance of Public and Media

The right of the public and representatives of the media to attend Council meetings is subject to the following:

Where the Council is of opinion that the absence of members of the public and representatives of the media from the whole or part of a particular meeting is desirable because of the special nature of the meeting or of an item of business to be or about to be considered at the meeting or for other special reasons, in line with the provisions of Section 45 of the Local Government Act, 2001 the Council may, by resolution in respect of which, at least one-half of the total number of members vote in favour, decide to meet in committee for the whole or part of the meeting concerned. The resolution in this instance shall indicate in a general way the reasons for the resolution and those reasons shall be recorded in the minutes of the meeting.

51. Members of the public and representatives of the media will occupy the parts of the Meeting Room allotted to their use.

The public shall be admitted subject to the following arrangements:

- (a) The number present shall be limited to a maximum of 20.
- (b) No member of the public present shall attempt to address the meeting or otherwise disrupt the meeting.
- (c) Banners and other items of protest shall not be allowed into the Council Chamber.

52. Members of the public and media shall be seated and shall maintain silence and observe any directions given by the Chair or by any Council employee in attendance. Such employees are responsible for the execution of all measures necessary for the maintenance of order, decorum and safety in and about the Chamber.

If a member of the public interrupts a meeting at any time or endeavours, without the permission of the Council to address a Meeting, the Chair shall warn him or her and if the interruption continues shall order that person's removal. The Chair may suspend or/and adjourn the meeting for such period as he or she considers necessary in the interests of order and safety.

In the case of a general disturbance in any part of the Meeting Room open to the public, the Chair shall order that part to be cleared.

The Chair shall not permit re-entry to individuals [*considered party to the disturbance*] to this or subsequent meetings until such time as a written apology has been received and accepted by the Members.

53. No cameras of any kind or sound recording or communication equipment shall be used at meetings of the Council without the prior approval of the Council.

During the course of a meeting [from the time the meeting opens to the close of the meeting], the use of social media to report on the business of the meeting is prohibited without the prior approval of the members.

54. The use of mobile phones shall not be permitted at meetings of the Council.

COMMITTEES

55. Strategic Policy Committees

The Strategic Policy Committees of the Council shall be:

- 1. **Strategic Policy Committee 1:** *Economic Development, Enterprise Support and Tourism, Planning & Development Policy*
- 2. **Strategic Policy Committee 2:** *Transportational Policy/Mobility Management & Water Services*
- 3. **Strategic Policy Committee 3:** *Housing*
- 4. **Strategic Policy Committee 4:** *Environment Protection, Climate Action & Energy*
- 5. **Strategic Policy Committee 5:** *Community, Cultural & Fire Services*

56. The 5 Strategic Policy Committees (SPC) shall consist of the number of members as outlined hereunder. Of the number outlined the number specified shall be members of the Council and the remaining number on each SPC to be nominated by sectoral, community and other interest groups throughout the County of Kilkenny, such sectoral, community and other interest groups having first been selected by the Council in accordance with the relevant guidelines.

SPC NO:	Total Membership	Members of Council	External Members
SPC 1	15	8	7
SPC 2	15	8	7
SPC 3	13	8	5
SPC 4	11	6	5
SPC 5	11	6	5

The Strategic Policy Committees shall be appointed as soon as possible after a local election and the members shall hold office for the period of the life of the Council appointing them.

3 members shall constitute a quorum for each and every SPC, 2 of whom shall be members of the Council.

57. The Council shall appoint a Cathaoirleach to each of the Strategic Policy Committees from among the members of the Council to hold office for a minimum period of three years which could be renewed by the Council. Subsequent Cathaoirleach shall be appointed by the Council from among the existing Council members of the Strategic Policy Committee.
58. The Cathaoirleach and Council members of the Strategic Policy Committees shall reflect the proportionality and the distribution of elected representation on the Council; in default of agreement, the Cathaoirleach and Council members of the Strategic Policy Committees shall be appointed by the formation of groups pursuant to Paragraph 18 of Schedule 10. of Local Government Act 2001
59. Every member of the Council shall be a member of one of the Strategic Policy Committees, but should not be a member of more than two.
60. It shall be the function of a Strategic Policy Committee to consider matters connected with the formulation, development, monitoring and review of policy which relate to the functions of the Strategic Policy Committee and the Local Authority and to advise the Authority on those matters. The media and public may attend SPC meetings. If the committee considers that matters warrant discussion in committee, the committee shall decide by at least half of the membership present that the meeting or part of the meeting be held in private session.
61. Each Strategic Policy Committee shall meet as often as required, and at least four times a year, to deal with the business assigned to it in accordance with Section 48 of the Act of 2001 as amended.
- 62. Corporate Policy Group**
The Cathaoirleach of the Council, the Chairpersons of each Strategic Policy Committee, the Parties Whips and a nominated member from the Municipal Districts, if the Municipal District is not represented, shall form the Corporate Policy Group, which shall meet as often as required under the chairmanship of the Cathaoirleach and shall provide a forum for discussion of policy affecting the whole Council and shall report to Council in accordance with Section 133 of the Act of 2001 as amended by Section 48 of the 2014 Act.

63. Municipal Districts

Kilkenny County Council shall be divided into 4 Municipal Districts as follows:

- Callan - Thomastown Municipal District [6 Members]
- Castlecomer Municipal District [6 Members]
- Kilkenny City Municipal District [7 Members]
- Piltown Municipal District [5 Members]

Each Municipal District shall adopt their own standing orders.

64. Committees - General

The Council may appoint a Special Committee for a specific purpose. When appointing such a Committee it shall at the same time determine the number and names of members to constitute such Committee and shall also fix the quorum which shall not be less than three. The term of office of a Special Committee shall be for such period as the Council may determine when appointing the Committee.

65. Every Special Committee at its first meeting shall appoint a Chairperson from its members and, where practical, fix the day and the hour of future meetings.
66. In the election of Committees, candidates shall be proposed and seconded and if the number so proposed and seconded does not exceed the number of vacancies, those proposed and seconded shall be declared elected. Should the number of those proposed and seconded exceed the number of vacancies a vote shall be taken, and the positions on the committee shall be filled according to proportional representation having regard to the size of the groupings on the Council.

Notwithstanding anything contained above, the provisions of paragraph 18 of Schedule 10 of the Act of 2001, and the requirements of any other enactment will apply to appointments to committees.

67. Whenever a vacancy occurs in the membership of any Committee of the Council, by reason of the death, resignation or disqualification of a member, such vacancy shall be filled as soon as circumstances permit, by the Council after due notice.
68. In a Committee, a motion or amendment may be proposed without a seconder, and a member may speak more than once to any question, but otherwise the Rules of Order of the Council, so far as they are conveniently applicable, shall govern all proceedings of Committees, and the member in the Chair at any meeting of a Committee shall determine questions of order.
69. Every Committee in the whole of its proceedings shall be governed by the Standing Orders or Resolutions of the Council affecting such Committee.
70. A copy of every Report of a Committee to be submitted to the Council shall, before the submission thereof, be transmitted to every member of the Council at least three days before Council Meetings, save in cases of urgency when reading of the Report to Council shall suffice.
71. Save for meetings of the Corporate Policy Group and such other Committees as the local authority may specify from time to time, representatives of the media and the public may be present at meetings of Committees of the Council. When confidential matters are under discussion Committees may decide to exclude such representatives from the meeting or the relevant portion of the meeting.

72. The Cathaoirleach of the Council shall be an ex-officio member of every Committee and every Sub-Committee except those where membership is fixed by Statute.
73. In the absence of the Cathaoirleach of a Committee, the Chair shall be taken by any Council member of the Committee agreed at the meeting.
74. The Chair of each Committee shall be responsible to the Council for the general management of the business entrusted to such Committee.
75. Committees may appoint Sub-Committees from their number to facilitate the transaction of business, who shall report to the Committee, but such Sub-Committee shall not have the power to transact any business without express authority from the Committee.
76. The Council may resolve itself into a Committee of the whole Council for the transaction of business to be specified in the Resolution. (*Section 45 of the Act of 2001*).
77. The decisions of the Committees of the Council shall not become binding, except where otherwise provided in the Standing Orders, until approved by the Council, unless the Council specifically empowers these Committees to deal (without further reference to it) with certain matters, subject to the appropriate legal provisions.

78. Suspension of Standing Orders

Subject to the provisions and requirements of the Local Government Act, 2001 or of any other enactment, any Standing Order, except Nos. 18, 20, 46 to 49 [and 22 to 44 if so decided by Council] may at any time be suspended on a motion proposed without notice for the purpose of enabling any specific business defined in the suspensory motion to be considered and dealt with by the Council, subject to the requirement that at least two-thirds of the member's present vote in favour. – Paragraph 16 (4) (g) of Schedule 10 of the Act of 2001.

79. Casual Vacancy

A casual vacancy shall be filled in accordance with Section 19 of the Local Government Act 2001.

Where a casual vacancy arises and the person causing the casual vacancy was a member of a registered political party at the time of his or her election or co-option, the casual vacancy shall be filled by the local authority, by a person nominated by the same registered political party who nominated for election or co-option the member who caused the casual vacancy – Section 19(3)(b). This requirement stands whether or not the political status of the member who caused the casual vacancy had changed since the date of his election or her election or co-option.

Where a casual vacancy arises and the person causing the casual vacancy was a non-party member at the time of his or her election or co-option, the casual vacancy shall be filled by the local authority by a person nominated by the non party member causing the casual vacancy – such person shall be nominated as soon as may be after the election or co-option of each non party member. The nomination of each replacement by a non party member shall be in writing and shall be witnessed by the Meetings Administrator. The written consent of the person so nominated shall also be provided and shall also be witnessed by the Meetings Administrator.

80. Miscellaneous

A member or members appointed to outside bodies and boards may from time to time submit reports to the Council on matters arising in such bodies or boards which have relevance to the Council and shall in any event do so in accordance with the requirements of Section 141, Local Government Act, 2001.

81. Interpretation of Standing Orders

The Cathaoirleach's ruling on any question, or his/her interpretation of the Standing Orders shall be final.

82. Matters not covered by Standing Orders

The Cathaoirleach shall have power to deal with any matter not covered by Standing Orders.

83. Seal

The Common Seal of the Council shall be affixed to all deeds and documents requiring the seal and shall be authenticated by the signature of the Cathaoirleach or of an employee of the Authority nominated in writing for the purpose by the Manager following consultation with the Cathaoirleach. (Section 11 (8) of the Act of 2001.)

84. Duration of Standing Orders

The foregoing Standing Orders shall continue in force until altered, amended or repealed on Notice of Motion duly given and carried by a majority of the Council, at least three quarters of the Members being present.

85. Revocation and Commencement

These revised Standing Orders shall come into operation on the day of 7th day of June, 2019 and all Standing Orders previously made by the Council and not already revoked shall be revoked with effect as and from that date.

KILKENNY COUNTY COUNCIL

**SUPPLEMENTARY STANDING ORDERS REGULATING THE
PROCEEDINGS OF THE COUNCIL IN HOLDING REMOTE
MEETINGS**

*Standing Orders under the Local Government Act, 2001 adopted by
Kilkenny County Council to come into effect from 16th November, 2020*

MEETINGS OF THE COUNCIL

Purpose

These supplementary Standing Orders allow for remote meetings of Kilkenny County Council and its sub-committees in light of the designation of the Local Authority in the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 (Section 29) (Local Authorities) (Designation) Order 2020 (S.I. No. 445 of 2020).

Remote Meetings

1. Given the designation of local authorities, the meetings of Kilkenny County Council may now be held at
 - the Council Chamber.
 - an external venue used to accommodate meetings of the Council as decided by the Corporate Policy Group.
 - one or more Council buildings or rooms, linked remotely.
 - an electronic, digital or virtual location, web address or a conference call telephone number.
 - a combination of the above to provide for physical and/or remote attendance by elected members.

Management of Remote Meetings

2. Members should notify their Meetings Administrator in advance if they intend to attend the meeting remotely. Attendance shall be by agreed forum i.e. using Microsoft Teams on Council provided IT equipment -Laptop/Tablet using Council provided Teams Account. Prior agreement of the Meetings Administrator is required if attending remotely via an alternative method.
3. Any member participating in a meeting remotely must, when they are speaking, be able to be heard (and seen, where practicable) by all other members in attendance, and the remote participant must, in turn, be able to hear (and see, where practicable) those other members participating.
4. The Cathaoirleach will at the outset, and at any reconvening of a meeting, call a roll call of participating members and ensure that they can hear and, where practicable, see those in attendance. Any member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can hear and, where practicable, see the proceedings. Members should inform the meeting if they lose connection in accordance with provisions on connectivity within the agreed standing orders.

5. The attendance of those members at the meeting will be recorded by the Meetings Administrator.
6. The normal quorum requirements for meetings as set out in the Council's Standing Orders will also apply to a remote meeting. Members attending physically and remotely will together constitute a quorum.
7. Each member participating remotely has personal responsibility to ensure and confirm to the Meetings Administrator that there are no other persons present who are not entitled to be either hearing or seeing consideration of such items, and/or recording the proceedings, in accordance with standing orders that apply.
8. Subject to compliance with General Data Protection Regulations (GDPR), the Meeting Administrator may facilitate the recording of the meeting for the purposes of taking minutes. However, this recording shall only be used for this purpose and will be deleted once the minutes are agreed.

Meeting Procedures

9. The Meetings Administrator will coordinate the facilitation of the meeting. An appropriate official will assume responsibility for controlling the conferencing technology employed for remote access and attendance, and to administer the member interaction, engagement and connections on the instruction of the Cathaoirleach.
10. Members should allow sufficient time to establish a connection prior to the commencement of the meeting to allow themselves and the Meeting Administrator the opportunity to test the connection.
11. The Cathaoirleach, at the beginning of the meeting, will explain the protocol for members' participation. The Cathaoirleach's ruling during the debate will be final.
12. Members who wish to speak should use the notification process as directed by the Cathaoirleach, and then speak when invited.
13. The rules of debate as set out in existing standing orders will apply.

Voting

14. A vote taken remotely shall be by roll call in accordance with the Standing Orders of Kilkenny County Council constitutes a valid vote towards the decision of the Council.
15. Where a member loses connectivity during a statutory vote, every effort will be made to re-establish a connection. If a connection cannot be restored within a reasonable timeframe every effort should be made to allow the member to vote by an alternative means agreed i.e. direct phone call to member and the vote recorded accordingly.

Leaving a Remote Meeting

16. Members leaving the meeting should make every effort to inform the Cathaoirleach by the appropriate means that they are exiting the meeting to ensure there is a Quorum remaining and so that it is not presumed to be a loss in connectivity.

Declaration of Interests

17. Any Member attending at a meeting of the Council or its sub-committees who has a disclosable pecuniary or other beneficial interest relating to any agenda item under Part 15 of the Local Government Act must declare it at the commencement of this agenda item and advise the Cathaoirleach and Members of his intention to leave the meeting. His/Her departure and reason for it must be noted in the minutes. The Meetings Administrator shall invite the Member to return to the meeting when the discussion and decisions relating to the item have concluded.

Attendance of Public & Media at a Remote Meeting (*Section 45(3) Local Government Act 2001-2014*)

18. Members of the public and media may be present at a remote meeting but must maintain silence and observe any directions given by the Chair or by any employee in attendance.

19. Members of the media and public should give prior notice of joining virtually in accordance with agreed local arrangements. Live Streaming & Recording the proceedings by the media and public of the remote meeting is strictly prohibited.

Meetings in Committee

20. In line with the provisions of Section 45 of the Local Government Act 2001, the Council may by resolution decide to meet in committee for the whole or part of the meeting concerned.

21. Should the Council elect to meet in Committee for some or all of the meeting the Meetings Administrator or designated person will ensure that there are no members of the public or media in remote attendance or remotely accessing the meeting or are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

22. Where the Council has by resolution decided to meet in committee for the whole or part of the meeting concerned, each member participating remotely has personal responsibility to ensure and confirm to the Meetings Administrator that there are no other persons present who are not entitled to be either hearing or seeing consideration of such items, and/or recording the proceedings, in accordance with standing orders that apply.