

STANDING ORDER 2

REQUIREMENTS FOR HOLDING MEETINGS

ASSEMBLY AND COMMITTEE MEETINGS

THE CHAIR

2.1: THE CHAIR OR OTHER PERSON PRESIDING

Application: applies to the Assembly, its committees, and subcommittees and to the Standards Committee.

- A.** The Chair of the Assembly, or of a committee, and of the Standards Committee, will preside over and chair all meetings of that body (including any requisitioned under Standing Order 1.8). The Chair of the Assembly shall preside over Mayor's Question Times ^[1].

- B.** If the Chair is absent then the Deputy Chair ^[2] (if any) will preside.

- C.** If after 15 minutes from the time the meeting was due to start both the Chair and Deputy Chair are absent, then (as its first item of business) the meeting will elect from those present a member to preside at that particular meeting.

- D.** Paragraphs B and C above also apply if the Chair cannot be present or cannot preside over a particular item of business.

- E.** The person presiding (including the Deputy Chair or other duly appointed member) may during that meeting exercise all the powers and functions given by law or Standing Orders to the Chair.

- F.** Any reference to a "Chair" in Standing Orders shall include any such other duly appointed person presiding over the meeting.

- G.** In accordance with procedures approved by the Standards Committee in relation to Formal Determination Hearings ^[3], an Independent Member of that

DRAFT

committee shall preside over the hearing unless the independent member is prevented from participating in the meeting, because to do so would result in them being in breach of the Code of Conduct.

Notes and definitions:

[1] Paragraphs A to D apply to Mayor's Questions Time in the same way as they apply to other meetings of the Assembly.

[2] In paragraphs B to E "Chair" and "Deputy Chair" refer to the Chair of the Assembly and the Deputy Chair of the Assembly, elected under Standing Order 1.5 above, where meetings of that body are concerned. Otherwise, Chair refers to the person appointed or elected as the Chair and Deputy Chair (if any) of a committee or subcommittee.

[3] "Formal Determination Hearing" in paragraph G refers to hearings concerning matters referred to the Standards Committee for determination in accordance with regulations made under s 66 of the Local Government Act 2000 or in connection with the alleged breach of non-statutory protocols to the GLA Code of Conduct.

2.2: THE CHAIR'S GENERAL DUTIES

Application: Applies to the Assembly, its committees and to the Standards Committee.

A. The Chair's ^[1] general duties include the following, subject to anything required by law or Standing Orders:

- (1) chairing the meeting;
- (2) ensuring the fair, efficient and timely transaction of business;
- (3) keeping order at the meeting;
- (4) complying with the law and Standing Orders as they apply to the meeting, having regard to advice from the Executive Director of Secretariat and Head of Law;
- (5) deciding the order in which members will be called to speak
- (6) deciding what conduct is "in order" in terms of Standing Orders; and
- (7) preventing members and others from making allegations about the conduct of a person who is not present at the meeting (and therefore unable to reply) in breach of Standing Order 2.10 A below.

B. Following advice from the Head of Law (or his or her representative) or the Executive Director of Secretariat (or his or her representative) the Chair's ruling on any matter of order or procedure under Standing Orders shall be final.

C. If the Chair thinks it necessary to do so, he or she may interrupt business to restore order and may suspend or adjourn the meeting for whatever period of time he/she considers appropriate.

D. If the Chair considers it would assist the conduct of business he or she may take items of business in an order different from that set out on the agenda for the meeting. .

Note proposed additional point

Notes and definitions:

[1] In paragraphs A to D "Chair" refers to the Chair of the Assembly, elected under Standing Order 1.5 above, where meetings of that body are concerned; otherwise it refers to the person appointed or elected as the chair of a committee or subcommittee. "Chair" also includes any person presiding in the Chair's absence.

DRAFT

2.3: QUESTIONS TO THE CHAIR

Application: applies to the Assembly, its committees, and subcommittees and to the Standards Committee.

A. Any member may ask the Chair of the Assembly, or of a committee, or of the Standards Committee, any question relevant to the business of the meeting or the functions, powers or procedures of that body. Such questions may be asked before, during or after the meeting and if put in writing, shall receive a formal response under paragraph C below, unless paragraph B applies. Alternatively, the Chair may redirect any question to the chair of an appropriate committee to answer.

B. The Chair may decline to answer any question that is not relevant to the functions, powers or procedures of the body in question.

C. The Chair shall provide a written answer within three clear working days if it is not reasonably practicable to provide an oral answer at the meeting.

QUORUM AND TAKING DECISIONS

2.4: QUORUM

Application: Applies to the Assembly, its committees, and subcommittees and to the Standards Committee.

A. Except where a Special Quorum applies, the quorum to enable business to be transacted is as follows:

- (1) in the case of Assembly meetings, when no Assembly seats are vacant ^[1], the quorum is half of the number of Assembly members; and
- (2) for the Standards Committee, the quorum is such number as is not less than one half of its total membership provided that at least one Independent Standards Member is present unless that Committee is conducting a formal determination hearing (in which case the quorum shall be 3 members including at least one Independent Standards Member)^[2];
- (3) in the case of other committees, the quorum is such number as is not less than one half of its total membership (including co-opted members).

B. If one or more Assembly seats are vacant then the quorum for meetings of the Assembly shall be not less than half of the number of the remaining Assembly members (i.e. instead of by reference to the whole number of Assembly seats: 25).

C. A different quorum (higher or lower) from that stated in paragraph A ^[3] above shall apply when certain business is transacted if either:

- (1) these Standing Orders so require; or
- (2) the Assembly passes a resolution to that effect;

which shall be called a “Special Quorum” in these Standing Orders.

D. SPECIAL QUORUM: A proposal at an Assembly meeting to prescribe a special quorum under paragraph C above is itself subject to a special quorum. This requires that at least two thirds of the whole number of Assembly members (or in the event of vacancies, then two thirds of such lower number as remain) is present before such a proposal can be considered (i.e. 17 members if no seats are vacant).

DRAFT

E. If a quorum (including a special quorum) is not present within 15 minutes of the time when the meeting was due to commence as stated on the agenda, the meeting shall be abandoned and the business will fall.

F. With the exception of the Assembly Budget Meetings [4], if the Chair of a meeting finds that the meeting has become inquorate, the chair may wait for 5 minutes, following which, if the meeting is still inquorate, the meeting shall end and any business not concluded at that point shall fall. If, before the end of the 5 minute period, the meeting, a quorum is restored, the meeting will continue and finish the business on the agenda.

G. If, Following an adjournment, the Assembly, committee or sub-committee is to reconvene at a stated time but the meeting remains inquorate at that stated time, paragraph E above does not apply and the meeting will end.

Notes and definitions:

[1] Assembly Meetings: If no Assembly seats are vacant then the quorum for an Assembly meeting shall be 13 members. See paragraph B where one or more are vacant.

[2] From time to time the Standards Committee adopts its own procedure for local determination hearings and those prevail in the event that they conflict with these Standing Orders.

[3] "Special quorum" means a quorum prescribed under paragraph C different from that under paragraph A. It can be for either the whole meeting or for the consideration of a particular item of business. Only the Assembly can approve a special quorum under paragraph C, either for its own meetings or for committee meetings. To assist the reader where a special quorum applies the words are in capitals.

[4] "Assembly Budget Meeting" in paragraph F refers to the two meetings called to consider the Draft Consolidated and Final Draft Budgets and covered by Standing Order 6.14 (Inquoracy during Budget Meetings).

General Comment: The difference between paragraphs E and F is that the former applies at the start of the meeting and the latter if a meeting goes inquorate sometime thereafter.

At common law a quorum cannot be less than three, as otherwise the Chair's casting vote would potentially determine every item of business. If a meeting becomes inquorate the business falls as a result of Paragraph F. Any business not transacted by that point can only be considered if a new agenda is issued calling a new meeting (which could be an extraordinary meeting).

2.5: REQUIRED MAJORITY FOR TAKING DECISIONS

Application: applies to the Assembly, its committees, and subcommittees and to the Standards Committee.

A. All questions and other matters coming before, or to be decided by, the Assembly or by a committee, or the Standards Committee, shall be decided by a simple majority of its members present and voting ^[1]. (This rule is subject to paragraph B below.)

B. Decisions shall not be made by a simple majority of votes cast if the Greater London Authority Act 1999 or some other enactment requires a different basis for the taking of the decision^[2].

C. Paragraphs A and B may not be suspended under Standing Order 1.1.1 ^[3]

Notes and definitions:

[1] Paragraphs A and B are statutory requirements and reflect the wording of s 53(1) and (3) of the GLA Act 1999. “Present and voting” means that only those physically present can vote and abstentions are not counted when determining if there is a simple majority. Unless a statute requires otherwise the Assembly, and its committees, must decide things by a simple majority of votes cast; they cannot decide to do so on a different basis.

[2] The following are matters that various statutes require be decided on a different basis:

- the approval of amendments to the Mayor’s final draft budget, by the Assembly, requires the agreement of at least a two-thirds majority of Assembly members present and voting: paragraph 8(4) of schedule 6 to the GLA Act 1999;
- the allocation of seats on committees or sub-committees between political groups on a non-proportional basis (i.e. not in accordance with the principles set out in s 15(5) of the Local Government and Housing Act 1989), requires the consent of the Assembly given by unanimity of votes cast, i.e. no member voting against: see s 17(1)(b) of the Local Government and Housing Act 1989.

[3] Paragraph C reflects the mandatory requirements of s 53 (1) and (3) of the GLA Act 1999.

2.6: VOTING

Application: Applies to the Assembly, its committees, subcommittees and to the Standards Committee; but paragraph C below is suspended in accordance with SO 6.6B (1) and (2) in relation to votes on Formal Budget Amendments to the Final Draft Budget at the Final Budget Meeting, paragraph D below is suspended in relation to Formal Budget Amendments at both Assembly Budget Meetings, and the whole of SO 2.6 is added to in accordance with SO 6.6D.

- A.** Every member of the Assembly, or of a committee, or of the Standards Committee, may cast one vote if a vote is called ^[1].

- B.** If equal numbers of votes are cast then the Chair may additionally give a second or casting vote (whether or not he or she voted in the first instance) ^[2].

- C.** The mode of voting will be by show of hands other than where the provisions of S.O. 2.7A are invoked^[3].

- D.** If a motion or recommendation (including as amended) comprises two or more elements then it will be debated as a whole but the Chair may allow Members to vote on each element separately if any Member so requests and the Chair considers that to do so will assist the conduct of business ^[4].

- E.** Any member may require a delay in proceedings of two minutes before a vote is taken to allow members temporarily out of the meeting to take part in the vote.

- F.** Paragraphs A, B and E above may not be suspended under Standing Order 1.1.I so as to deny any member their vote or the Chair his/her casting or second vote. ^[5]

Notes and definitions

[1] Members who vote in circumstances where they have a personal and prejudicial interest under the GLA Code of Conduct do so in breach of that Code.

[2] The Chair's second or casting vote is a statutory requirement (s 53(2) of the GLA Act 1999) and may not be suspended.

[3] Assembly Budget Meetings: Paragraph C is suspended where the vote is upon a Formal Budget Amendment to the Final Draft Budget at the Final Budget Meeting: see SO 6.6 B. Instead this is to be by named vote, taken in alphabetical order where each Assembly member states whether he/she wishes to vote for, against or to abstain – see SO 6.6 D(2).

DRAFT

[4] Assembly Budget Meetings: Paragraph D is suspended by SO 6.6 B in respect of any vote taken on a Formal Budget Amendment at either of the two Assembly Budget Meetings so as to prevent separate votes being taken on the separate elements making up a Formal Budget Amendment that are required to be calculated under section 85(4) to (8) of the GLA Act 1999 in respect of the GLA and functional bodies – see SO 6.6 D (2) and (3). (Where a Budget Related Motion is moved as part of the same report proposing a Formal Budget Amendment then it is to be voted upon separately (see SO 6.12 G) and where a Budget Related Motion comprises separate elements these can be voted upon individually.)

[5] This reflects the fact that s 53(1) implies that every member has one vote and s 53(2) gives the chair or person presiding a casting or second vote, and so neither can be suspended.

2.7: RECORDING OF VOTES AND ABSTENTIONS

Application: A Applies to the Assembly, B applies to the Assembly, its committees, subcommittees and to the Standards Committee.

A. At meetings of the Assembly (only), if any single Assembly member so requests before a vote is taken, a recorded vote shall be taken where the voting on any question shall be recorded in the minutes so as to show how each Assembly member present gave his/her vote (for or against the question) or abstained from voting.

B. At Assembly, committee and sub committee meetings (including the Standards Committee), any member may require after the vote is taken that the minutes record that the members of his/her own Political Group, or himself/herself individually, voted against or abstained from voting.

2.8: PUBLIC'S ATTENDANCE AT MEETINGS

Application: Applies to the Assembly, its committees, subcommittees and to the Standards Committee.

A. All meetings shall be open to the press and public unless, and to the extent that, they are lawfully excluded by a resolution of the Assembly or of a committee or of the Standards Committee, under section 100A (4) of the Local Government Act 1972 (exempt information items ^[1]) or by section 100A (2) of that Act (confidential information items ^[2]).

B. Where such a resolution is passed the Chair may direct that:

- (1) the room in which the meeting is being held is to be cleared of the press and public (including the Chamber and/or any areas of the building from which proceedings can be seen or heard); or
- (2) the meeting itself will move to another room to continue in private, if that would be more practicable.

C. The right of the press and public to be present during the open part of a meeting under paragraph A is subject to the Chair's powers to suppress or prevent disorderly conduct or misbehaviour at meetings, and to any power of exclusion conferred by these Standing Orders or under the general law.

D. No person other than a member of the body in question shall have any right to participate in the meeting unless invited to do so by the Chair.

Notes and definitions:

[1] "Exempt information" refers to the categories of information concerning which the Assembly/committee has the discretion as to going into private session, as set out in Part I of Schedule 12A to the Local Government Act 1972.

[2] "Confidential information" (as defined by s 100A (3) of the 1972 Act) means:

- information furnished to the Authority by a Government department upon terms (however expressed) which forbid the disclosure of the information to the public; and
- information the disclosure of which is prohibited by or under any enactment or by order of a court.

General Comment: In addition to the above, s 58(3) and (4) of the GLA Act 1999 adds 4 further categories of confidential information relating to TfL and the London Development Agency (set out in subparagraph (4)) as to when the Assembly/committee must go into private session. Also, s 65 of the

DRAFT

GLA Act applies access to information provisions to documents obtained using the powers under s 61(1) to require attendance at Assembly meetings and the production of documents.

2.9: LENGTH OF ASSEMBLY MEETINGS

Application: applies to Assembly meetings only, other than MQTs and the Assembly Budget Meetings.

A. Every Assembly meeting, other than a Mayor's Question Time or either of the Assembly Budget Meetings ^[1], will finish not more than 2 hours and 30 minutes from the time indicated on the agenda as the start of the meeting unless by resolution passed before the end of the 2 hours and 30 minutes it is agreed the meeting will be extended in order to finish the business or any part of the business remaining on the agenda.

B. Mayor's Question Times shall finish after 2 hours 30 minutes from the time indicated on the agenda unless the Chair extends the meeting in order to (a) allow the answer to the final question to be given or (b) to question the Mayor about urgent matters, in either case in accordance with the rules and procedures for MQT made under Standing Order 5.10 below.

Notes and definitions:

[1] The "Assembly Budget Meetings" in paragraph A refer to the two Assembly meetings held to consider the Draft Consolidated and Final Draft Budgets in accordance with Schedule 6 of the GLA Act 1999. There is no time limit on these meetings.

General Commentary: there is no time limit on committee and subcommittee meetings.

2.10: MEMBERS' CONDUCT IN THE MEETING

Application: Applies to the Assembly, its committees, subcommittees and to the Standards Committee.

A. The Mayor, Assembly members, and co-opted members of committees and the independent members of the standards committee shall treat each other, members of GLA staff and other persons, with respect and comply with their obligations under the GLA's statutory Code of Conduct.^[1]

B. If in the Chair's opinion any member or the Mayor:

- (1) persistently disregards the Chair's rulings;
- (2) behaves improperly or offensively; or
- (3) wilfully obstructs the meeting's business;

then the Chair or another member may move that "*[The named member] not be further heard*" or that "*[The member named] shall immediately leave the meeting*". If the motion is seconded it shall be put to the vote and determined without discussion.

If passed the named member or Mayor shall comply and/or leave the Chamber or other room where the meeting is held.

Notes and definitions:

[1] It is a statutory requirement of the GLA Code of Conduct that members treat each other (as well as third parties) with respect: see paragraph 2(b) of the Code. A copy is contained in the Rule Book.

DRAFT

2.11: DISPLAY OF BANNERS ETC

Application: Applies to the Assembly, its committees, subcommittees and to the Standards Committee.

A. Unless the Chair explicitly approves beforehand, the display by members or by the public of any banners, posters or other material or props in the Chamber^[1] or room where the meeting is held, or in any part of the building visible or audible to the members attending the meeting, is prohibited. The Chair may withdraw any approval if he/she considers it necessary for the effective conduct of the meeting.

Notes and definitions:

[1] For the purposes of this Standing Order reference to the Chamber includes the whole extent of the Ramp; the areas visible to the meeting include the public corridor around the Chamber and the public areas outside the committee rooms.

2.12: MISCONDUCT BY THE PUBLIC

Application: Applies to the Assembly, its committees, subcommittees and to the Standards Committee.

A. If a member of the public:

- (1) interrupts or attempts to take part in the proceedings; or
- (2) displays any material in contravention of Standing Order 2.11 above; or
- (3) otherwise distracts members' or the public's attention from the proceedings; or
- (4) takes photographs etc in breach of paragraph C below;

then the Chair shall warn the person concerned, and if the conduct in question continues, the Chair may order his/her removal from the Chamber or room where the meeting is held. In exceptional circumstances the Chair may order that a member of the public be removed from the Chamber or meeting room without warning.

B. If there is a disturbance in any part of the Chamber ^[1] or room where the meeting is held, or in any area of the building open to the public and visible or audible to the members attending the meeting, that in the Chair's opinion hinders the conduct of business, then the Chair may:

- (1) order that area to be cleared; and/or
- (2) suspend or adjourn the meeting for such period as he/she thinks appropriate without seeking the meeting's approval.

C. The press and public have no right to take photographs, broadcast or make audiotape or video recordings of meetings without the express approval of the Executive Director of Secretariat, which must be obtained before the meeting.

Notes and definitions:

[1] For the purposes of this Standing Order reference to the Chamber includes the whole extent of the Ramp; the areas visible to the meeting include the public corridor around the Chamber and the public areas outside the committee rooms.

DRAFT

2.13: FOOD AND DRINK IN THE CHAMBER

Application: Applies to the Assembly, its committees, subcommittees and to the Standards Committee.

A. Apart from the drinking water provided, no food or drink shall be consumed in the Chamber.

GLA STAFF

2.14: DISCUSSION OF MATTERS AFFECTING INDIVIDUAL MEMBERS OF STAFF

Application: Applies to the Assembly, its committees subcommittees and to the Standards Committee.

A. Information about a member of GLA staff, or a question or other matter relating to:

- (1) the general responsibilities attaching to a particular appointment or post;
or
- (2) a particular person's discharge of those responsibilities;
- (3) the level of remuneration and other benefits generally of GLA staff of Head of Service level and above ^[1] ;

may properly be given or discussed in public session provided that it does not involve the disclosure or likely disclosure of any of the matters mentioned in paragraph B below.

B. The information referred to above is information concerning:

- (1) any individually identifiable member of GLA staff (current or former) who is subject to outstanding disciplinary, appeal or grievance proceedings (internal or external); ^[2]
- (2) the details of the private or personal life of any individually identifiable member of GLA staff;
- (3) subject to paragraph A (3) above, terms and conditions of employment, including but not limited to the appointment, promotion, dismissal, salary, superannuation or conditions of service of any individually identifiable member of GLA staff (as opposed to staff generally or a group of staff in the same position) ^[3]; or
- (4) the potential misconduct of any individually identifiable member of GLA staff.

C. Whenever the discussion or information presented to the meeting involves the disclosure, or likely disclosure, of matters mentioned in paragraph B above then the Chair shall remind the meeting that, if it wishes to continue such discussions, or receive such information, it must consider whether or not to exercise its discretion to exclude the press and public from the meeting by passing a relevant resolution under section

DRAFT

100A(4) of the Local Government Act 1972 on the grounds of the disclosure, or likely disclosure, of information falling within paragraph 1 of Schedule 12A ^[4] to that Act (information relating to individuals).

Notes and definitions:

[1] Information about the posts (but not the post holders) of Head of Service and above including their level of remuneration and other benefits (which may include the salary, superannuation or conditions of service mentioned in paragraph B (3)) should normally be considered in public session. The duty to consider whether to go into closed session does not arise in those circumstances.

[2] This is in order not to prejudicially affect those proceedings and to comply with the GLA's employment law obligations.

[3] However, where anything falls within paragraphs B (1), (2) or (4) concerning a Head of Service or above, or the appointment, promotion or dismissal of such persons (i.e. falling within paragraph B (3)) but not mentioned in paragraph A (3)), then the meeting must consider going into closed session in accordance with paragraph C.

[4] Paragraph 1 of Part 1 to Schedule 12A covers: "*Information relating to any individual.*" This is subject to a public interest test (see paragraph 10 of Part 2 of Schedule 12A).

General Comment: The presumption is that the meeting should pass an exclusion resolution if it wishes to discuss matters referred to in paragraphs B, although the discretion to conduct the business in public exists.

QUESTIONS TO INDIVIDUALS ATTENDING
PLENARY ASSEMBLY MEETINGS

2.15: QUESTIONS TO PERSONS INVITED TO ATTEND MEETINGS TO ANSWER QUESTIONS

Application: Applies to the Assembly meetings (other than MQT), and to committee meetings, designated in the Annual Programme under Standing Order 1.2 C above.

- A.** This Standing Order governs the questioning of the Mayor, senior members of GLA staff, and other persons or representatives of bodies invited (but not required ^[1]) to attend Assembly or committee meetings designated under Standing Order 1.2 C (4) above for that purpose.
- B.** Information indicating in reasonable detail the subject areas about which:
- (1) the Mayor or members of GLA staff are likely to be asked questions shall be submitted to the Executive Director of Secretariat by members no later than 12 noon six clear working days before the date of the meeting.
 - (2) other persons are likely to be asked questions shall be submitted no later than 12 noon ten clear working days before the date of the meeting.
- C.** The Executive Director of Secretariat shall request the attendance of the person(s) to be invited by giving prior notice in writing at least 5 (five) clear working days before the date of the meeting. The invitation shall indicate the subject areas that the person is likely to be questioned about.
- D.** Members' questions will be addressed through the Chair.
- E.** The Chair will call members to ask their questions (including supplementary questions) in such order/number as shall ensure broad proportionality between the political groups, taking into account the time available during any particular meeting and the aggregate number of meetings to be held over the Assembly year ^[2].
- F.** Supplementary questions, and exceptionally questions on areas not notified under paragraphs A to C above, will be permitted at the Chair's discretion.

DRAFT

G. If it is not reasonably practicable to provide an oral answer at the meeting, or if a question on the agenda was not reached during the time allowed, then:

- (1) in the case of GLA staff, such answers will be provided to the Executive Director of Secretariat within 3 clear working days of the meeting;
- (2) other persons shall be invited to submit their reply in writing to the Executive Director of Secretariat.

H. For the avoidance of doubt, this Standing Order 2.15 shall not:

- (1) apply to a Mayor's Question Time;
- (2) govern or restrict the formal exercise of the powers to require members of GLA staff to attend MQT under section 70(4) of the GLA Act 1999 or to require the attendance of witnesses and production of documents under sections 61 to 65 or 110 of that Act.

Notes and definitions:

[1] "Required" in paragraph A refers to being required to attend the meeting under section 61 to 65 and/or under section 70(4) of the GLA Act 1999.

[2] "Assembly year" refers to the period between Annual Meetings of the Assembly.