

Appendix 2

**Greater London Authority Act 1999
Section 36**

**STANDING ORDERS
OF THE
GREATER LONDON AUTHORITY**

Standing Orders of the Greater London Authority approved by the London Assembly on 10 May 2006 following consultation with the Mayor of London, having effect from 10 May 2006.

Edition No. 2

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STANDING ORDER 1

STANDING ORDERS, MEETINGS AND AGENDAS

1.1 THE AUTHORITY'S STANDING ORDERS

Application: applies to the Authority, and (in respect of paragraphs C to E and I) to the Assembly, its committees and subcommittees and to the Standards Committee.

- A. The Assembly, following consultation with the Mayor, may make Standing Orders for the Authority, and (following such consultation) subsequently vary or revoke them under sections 36(1) and (8) of the GLA Act 1999. Neither the Assembly nor the Mayor may delegate their functions under section 36 of the Act concerning the Authority's Standing Orders^[1].
- B. A printed copy of these Standing Orders shall be given to the Mayor, to each Member of the Assembly and to the Independent Members of the Standards Committee.
- C. Except in relation to decisions of the Standards Committee, later decisions of the Assembly will prevail over any earlier decision of its committees to the extent that the Assembly's decision is contrary or inconsistent with the other body's decision, but subject to any applicable rule of law or natural justice.
- D. The ruling of the Chair (or other person presiding at the meeting in question) of the Assembly and its committees as to the interpretation or application of any of these Standing Orders, or as to any proceedings of such bodies, shall be final following the advice of the Executive Director of Secretariat (or the post holder undertaking those duties) and Head of Law (or their representative). (Notwithstanding this, in the event of any ambiguity or disagreement the ruling of the Chair of the Assembly shall be final following advice from the same officers or their representatives.)
- E. In accordance with section 36(2) of the GLA Act 1999, the procedures of the Assembly, those of any committees of the Assembly and (in accordance with Standing Order 11.2C below) the procedures of the Standards Committee shall be regulated by these Standing Orders of the Authority in accordance with paragraph L below^[2].
- F. Subject to any other provision of the GLA Act 1999 or any other enactment which regulates or provides for the regulation of the procedure to be followed by the Mayor, Standing Orders of the Authority may:
 - (1) in accordance with section 36(3) of the GLA Act 1999, make provision for regulating the procedure to be followed:
 - a. by any Member of the Assembly; or
 - b. by any Member of staff of the Authority appointed by the Assemblyby whom functions of the Authority are exercisable pursuant to arrangements under section 54 of that Act;

- (2) in accordance with section 36(4) of the GLA Act 1999, regulate the procedure to be followed by the Mayor or by the Assembly in discharging any functions of the Mayor or the Assembly, to the extent that the functions:
 - a. consist of consultation, or any other interaction or relationship between the Mayor and the Assembly; or
 - b. are exercisable by the Mayor in relation to the Assembly or by the Assembly in relation to the Mayor;
- (3) in accordance with section 36(5) of the GLA Act 1999, make provision for any other matter for which provision by Standing Orders of the Authority is authorised or required by any other provision of that Act or any other enactment;
- (4) in accordance with section 36(7) of that Act, make different provision for different circumstances.

Changes to Standing Orders^[3]

- G. Any motion to add to, vary or revoke these Standing Orders (other than one to suspend any such provision during a meeting) shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Assembly and the Mayor shall be consulted upon the motion and his/her response reported to the meeting.

SPECIAL QUORUM: Changes to these Standing Orders under this paragraph may only be effected if at least two-thirds of the whole number of the Members of the Assembly is present when a proposal to do so is voted upon. Although two-thirds of the Assembly must be present, the vote to approve changes only requires a simple majority of votes cast by Members present and voting (see section 53(1) of the GLA Act 1999).

Suspension of Standing Orders^[3]

- H. Standing Orders may be suspended by the Assembly so far as regards any business at a meeting at which their suspension is moved, but such a suspension will have effect for that meeting only.

SPECIAL QUORUM: A motion to suspend Standing Orders under this paragraph may be moved without notice provided (if so moved) if at least two-thirds of the whole number of the Members of the Assembly is present when the motion is voted upon.

- I. Unless expressly prevented in the text, Standing Orders may be suspended by a committee so far as regards any business at a meeting at which their suspension is moved, but such a suspension will have effect for that meeting only.

Interpretation of Standing Orders

- J. The following will have effect for the interpretation of Standing Orders, unless the context otherwise requires, but subject to paragraph L below and any express provision in Standing Orders to the contrary:

- (1) "Assembly" means the London Assembly, and reference to a meeting of the Assembly includes a Mayor's Question Time;
- (2) "Assembly Budget Meeting" or "Budget Meeting" means a meeting where the Assembly considers the Draft Consolidated Budget or Final Draft Budget in accordance with section 87 and paragraphs 5 (Assembly consideration of the Mayor's Draft Budget) and 8 (Approval of Mayor's Final Draft Budget by the Assembly) of Schedule 6 to the GLA Act 1999;
- (3) "Authority" means the Greater London Authority which consists of the Mayor of London and the London Assembly;
- (4) "business management committee" refers to the committee designated from time to time by the Assembly as that committee for the purposes of Standing Order 9.4 below;
- (5) "Budget Related Motion" has the meaning given to it in Standing Order 6.2 below;
- (6) "committee" for the purposes of these Standing Orders means an ordinary or advisory committee, a subcommittee and the Standards Committee;
- (7) Chair means the Chair of the Assembly, or of a committee or subcommittee (including the Standards Committee) as the case may be, and includes any person presiding over a meeting in accordance with Standing Order 2.1;
- (8) "Formal Budget Amendment" has the meaning given to it in Standing Order 6.2 below;
- (9) "Formal Determination Hearing" means the determination of any matter (a) referred to the Standards Committee by or under regulations made under section 66 of the Local Government Act 2000, or (b) in relation to an alleged breach of any non-statutory protocol approved by it under Standing Order 11.1F below;
- (10) "GLA Act" refers to the Greater London Authority Act 1999;
- (11) "Mayor" means the Mayor of London;
- (12) "Member" includes (as relevant) co-opted members of advisory committees, and the Independent Standards Members appointed to the Standards Committee;
- (13) "Non-MQT Business" means that part of an Assembly meeting called as a Mayor's Question Time where the Assembly considers items of business other than the Mayor's periodic report or puts questions to the Mayor, or to staff required to attend the meeting, in accordance with sections 45(3), 52(3) or 70(5) of the GLA Act 1999;
- (14) "Non-Budget Business" means that part of an Assembly meeting called as a Budget Meeting where the Assembly considers items of business other than the Draft Consolidated Budget or Final Draft Budget in accordance with section 87 and paragraphs 5 and 8 of Schedule 6 to the GLA Act 1999;

- (15) “Staffing Committee” refers to the committee designated from time to time by the Assembly as that committee for the purposes of Standing Order 12.3 below;
 - (16) “in writing” includes emails and faxes except where specific requirements are applied in relation to petitions, motions etc;
 - (17) a reference to the Leaders of the Political Groups includes a reference to their nominees, and “Political Group” and “Leader” has the meaning given to it in sections 15 to 17 of the Local Government and Housing Act 1989 as applied by section 57 of the GLA Act 1999;
 - (18) a reference to a particular post includes any person acting up into that post, or another post to which the relevant functions have been wholly or mainly transferred;
 - (19) reference to an Act of Parliament or a statutory instrument includes any subsequent amendment, repeal or revocation.
- K. Subject to paragraph J above, other words and phrases are as expressly defined in the relevant Standing Order or in the corresponding footnote in the relevant “Notes and Definitions” section. In the event of any ambiguity, the Head of Law (or his or her representative) shall advise on their proper meaning. (Otherwise the notes and definitions contained in those sections are for the purposes of clarification only, and that section does not form part of the corresponding Standing Order.)

Application of Standing Orders

- L. The Authority’s Standing Orders shall apply in accordance with the “Application” section to each individual Standing Order, subject to anything to the contrary, or to any restriction, limitation or condition stated in the text of that Standing Order.
- M. These Standing Orders form part of the Authority’s Corporate Governance Framework. The documents that make up the Framework include, but are not limited to, the Financial Regulations, the Contracts Code of Practice, the Code of Conduct (a statutory Code) and the Schemes of Delegation of Functions of both the London Assembly and the Mayor of London. The documents that make up the Authority’s Corporate Governance Framework are approved when required either or jointly by the Assembly and/or Mayor as appropriate.

Notes and definitions

[1] The bar on delegation under paragraph A applies to the Mayor and Assembly and is a requirement of s36(9) of the GLA Act.

[2] Although a committee of the Authority as a whole, and not of the Assembly, Standing Orders apply to the Standards Committee – see SO 11.2C.

[3] Note that paragraphs G and H above (including the requirement for a special quorum) do not apply to any addition or variation of Standing Orders at a Budget Meeting made in accordance with Standing Order 6.6 below.

1.2 MEETINGS OF THE ASSEMBLY AND ITS COMMITTEES

Application: applies to the Assembly, its committees, subcommittees and the Standards Committee but paragraphs B and C below apply to the Assembly only.

- A. The Assembly, its committees and the Standards Committee shall hold their meetings in accordance with the Annual Timetable, agreed or varied from time to time by the business management committee^[1], and (if applicable) the rules and procedures approved by that committee, under Standing Order 1.3G, but subject always to:
 - (1) the Chair of the Assembly's powers to call an extraordinary meeting of that body under Standing Order 1.7; and
 - (2) Members' rights to requisition meetings under Standing Order 1.8 below.
- B. Before the expiry of 10 days after the date of the poll at an ordinary GLA election^[2], the Assembly shall hold a meeting to elect the Chair and Deputy Chair of the Assembly.
- C. Within 25 days^[3] after the date of the poll at an ordinary election the Assembly shall hold a Mayor's Question Time.
- D. Formal notices of individual Assembly and committee meetings will be published in accordance with Part 5A of the Local Government Act 1972 (as amended) and Standing Order 1.11 below.
- E. Unless the body in question decides otherwise, every meeting of the Assembly and its committees and the Standards Committee will be held at City Hall, be open to the public in accordance with section 100A of the Local Government Act 1972 and shall commence during normal office hours.

Notes and definitions

[1] This normally takes place at the Annual Meeting. The Business Management & Appointments Committee has been designated as the committee for the purposes of SO 9.4 responsible for the Assembly's business management functions.

[2] An ordinary GLA election refers to the regular poll to elect the Mayor and all 25 Members of the Assembly every 4 years. Section 52(2), GLA Act requires the first Assembly meeting after an ordinary GLA election to be held within 10 days (including weekends, public and bank holidays) of the poll.

[3] This is required by s52(4), GLA Act 1999.

1.3 THE ANNUAL TIMETABLE OF MEETINGS

Application: paragraphs A to C below apply to the business management committee only; paragraphs D to H below apply to the Assembly, its committees, subcommittees and to the Standards Committee.

- A. The business management committee will approve an annual timetable of meetings ("Annual Timetable") for meetings of the Assembly, its committees and of the Standards Committee for the forthcoming Assembly year, giving indicative dates and times for when meetings are to be held, subject to paragraph F below. The business management committee will consider the Annual Timetable at its first meeting of the Assembly year^[1].
- B. Before approving the Annual Timetable, Group Leaders will be consulted on its contents, as will the Mayor as regards the proposed dates for Mayor's Question Times, the Assembly Budget Meetings and the Authority's Standards Committee.
- C. The Annual Timetable will designate the following meetings (the agendas for which may include other items of business as the Chair of the relevant body considers appropriate) subject to paragraph G below, if applicable:

- (1) a sufficient number of Assembly meetings as "Mayor's Question Times" ("MQTs") in accordance with section 52(3) of the GLA Act 1999, to ensure that at least 10 are held in that calendar year^[2];
- (2) one Assembly meeting designated as the Annual Meeting, to be held at least once in every calendar year in accordance with Standing Order 1.4 below;
- (3) two "Assembly Budget Meetings" in accordance with Standing Order 6:
 - one to consider the Mayor's Draft Consolidated Budget ("the Draft Budget Meeting") to be held on or before the 1st day of February^[3] each year; and
 - another to consider the Mayor's Final Draft Budget ("the Final Budget Meeting") to be held before the end of February^[3];

and such meetings may be combined with a Mayor's Question Time if the Chair of the Assembly considers it appropriate;

- (4) other Assembly or committee meetings (designated by the Assembly or relevant committee) for the purpose of allowing Assembly Members to ask questions of the following individuals and bodies, which in the Mayor's case shall be in addition to MQT meetings:
 - the Mayor and senior staff of the Authority, whether or not appointed by the Mayor or the Assembly;
 - Members and senior staff of the Functional Bodies, including for the purpose of discharging the Assembly's duties under section 20A of the Police Act 1996^[4] to put questions to a person nominated by the Metropolitan Police Authority concerning the discharge of its functions;
 - Members of the Mayor's Advisory Cabinet (or any successor body);

- individuals or representatives of such other organisations as the Assembly or committee wishes to invite concerning matters of importance to Greater London;

(In designating any meetings for the purposes of this paragraph a committee may, thereby, amend the Annual Timetable but subject always to rules and procedures made under paragraph G below.)

- (5) other Assembly meetings (“plenary meetings”) for the purpose of transacting such other general business as the Chair determines;
 - (6) meetings of committees and of the Standards Committee as and when required.
- D. The detailed content and format of a meeting shall be for the Chair of the Assembly, committee or Standards Committee, to determine, but subject to any decision of the body in question to the contrary.
- E. The dates and times of meetings in the Annual Timetable are indicative only, and will be confirmed by a formal notice calling the meeting published under Standing Order 1.11 below.
- F. The publication by the Executive Director of Secretariat in accordance with Standing Order 1.11 below of a formal notice calling a meeting shall be conclusive as to the date, time and place it is to be held.
- G. The approval of the Annual Timetable under paragraph A above shall not prevent the Assembly or its business management committee from subsequently varying it. In addition, either body may approve rules and procedures from time to time prescribing the maximum number of meetings a committee may hold in an Assembly year and how any additional extraordinary meetings (other than those requisitioned under Standing Order 1.8 below) may be called.
- H. The approval of the Annual Timetable, and any rules and procedures under paragraph G above, shall not prevent:
- (1) the Chair of the Assembly and/or the Business Management and Appointments Committee from calling extraordinary meetings of the Assembly (other than MQTs) in accordance with Standing Order 1.7; and
 - (2) the relevant number of Members requisitioning extraordinary meetings of the Assembly or a committee in accordance with Standing Order 1.8 below.

Notes and definitions

[1] “Business management committee” refers to the committee designated for the purposes of Standing Order 9.4; currently this is the Business Management and Appointments Committee. “Assembly year” refers to the period between Annual Meetings of the Assembly.

[2] Under s52(3) of the GLA Act it is a statutory requirement to hold 10 MQTs per calendar year.

[3] These deadline dates are set out in paragraphs 3(4) and 6(6) of Schedule 6 to the GLA Act.

[4] Section 20A(1) of the Police Act 1996 states: *“The London Assembly shall make arrangements (whether by Standing Orders or otherwise) for enabling questions on the discharge of the functions of the Metropolitan Police Authority to be put by Members of the Assembly at a meeting of the Assembly for answer by a person nominated by the Metropolitan Police Authority for that purpose.”* Subsection (2) states: *“On being given reasonable notice by the London Assembly of a meeting of the Assembly at which questions on the discharge of the Metropolitan Police Authority’s functions are to be put, the Metropolitan Police Authority shall nominate one or more of its Members to attend the meeting to answer those questions.”*

1.4 BUSINESS OF THE ANNUAL MEETING

Application: applies to the Assembly only.

- A. In a calendar year when an ordinary GLA election^[1] falls to be held, the first Assembly meeting held after the poll shall be the Annual Meeting; otherwise the Annual Meeting shall be held on a date to be determined by the Assembly.
- B. The Annual Meeting will transact the following business:
- (1) as the first item of substantive business, the election of the Assembly's Chair and Deputy Chair^[2], in accordance with section 52(2) of the GLA Act 1999 and Standing Order 1.5 below;
 - (2) receive reports concerning proposals for the establishment of its committees (if any) and the Standards Committee, including:
 - the approval of the number of seats on each;
 - the approval of their terms of reference (subject to Standing Order 11.2D in the case of the Standards Committee's approval of its own terms of reference);
 - the appointment of individuals to those bodies (or approval of a mechanism for their appointment) in accordance with the rules on political proportionality under sections 15 to 17 of the Local Government and Housing Act 1989^[3];
 - the appointment of Chairs and (if any) Deputy Chairs of committees in accordance with Standing Order 1.6 below, unless the Assembly decides to leave this to the body concerned;but subject to Standing Order 11.2 where the Standards Committee is concerned;
 - (3) receive a report concerning the approval of the list of Substitute Members for committees in accordance with Standing Order 8.6;
 - (4) consider the Assembly's Scheme of Delegation, and (for noting only) the Mayor's Scheme of Delegation as are maintained under Standing Orders 9.6 and 9.7 below;
 - (5) in accordance with Standing Order 8.4, make any appointments (including substitutes) to outside bodies; and
 - (6) any other business the Chief Executive^[4] decides to include on the agenda of the Annual Meeting.
- C. Motions may not be considered at the Annual Meeting, unless accepted as urgent business in accordance with Standing Order 1.10 A below.
- D. Unless otherwise decided when they are established, the duration of every committee (if any) and the term of appointment of their members, shall be until the start of the next

Annual Meeting (or until the date of the poll in respect of the next ordinary GLA election if sooner), when they must be re-established and re-appointed if they are to continue.

- E. At any time before its next Annual Meeting the Assembly or its business management committee^[5] may re-determine any of the items of business referred to in paragraph B above, including filling any vacancy that may arise or dissolving a committee or altering its Chair or its Membership.
- F. The Assembly may also vary from time to time the terms of reference of any of its committees, as may the business management committee^[5] in relation to such bodies with the exception of itself. The decision of the Assembly will prevail where the views of BMAC and the Assembly diverge (SO 1.1C refers).

Notes and definitions

[1] An ordinary GLA election refers to the elections held for the Mayor and all 25 Assembly Members under s2(7) of the GLA Act 1999.

[2] There is no statutory requirement under the GLA Act to hold an annual meeting, but s51 requires the Assembly to elect a Chair and Deputy Chair of the Assembly within 10 days of the poll at an ordinary GLA election.

[3] Under s53(10) of the Local Government Act 2000 the Standards Committee is not subject to the rules requiring political proportionality set out in sections 15 to 17 of the Local Government and Housing Act 1989. There is nothing to prevent the Assembly appointing on that basis however.

[4] "Chief Executive" refers to the Head of Paid Service.

[5] Business management committee refers to the committee designated for the purposes of Standing Order 9.4; currently this is the Business Management and Appointments Committee.

1.5 ELECTION OF THE CHAIR AND DEPUTY CHAIR OF THE ASSEMBLY

Application: applies to the Assembly only.

- A. The Assembly shall elect from amongst themselves a Chair (“the Chair of the Assembly” or “the Chair”) and Deputy Chair (“the Deputy Chair of the Assembly” or “the Deputy Chair”).
- B. If either position falls vacant then the first item of business at its next Assembly meeting (including an MQT) shall be to fill the vacancy^[1]. Whenever the position of Chair is vacant then the Deputy Chair shall be the Assembly’s acting Chair until that position is filled^[2].
- C. Aside from a vacancy, and subject to any different term of office decided under paragraph D below, the election of the Chair and Deputy Chair shall take place at the Annual Meeting.
- D. The Assembly may determine the length of the Chair’s and Deputy Chair’s terms of office, subject to a maximum term of appointment of one Assembly year. Appointments will normally run from appointment at an Annual Meeting to the commencement of the next Annual Meeting.
- E. The Chief Executive, or his/her nominated officer, shall conduct the proceedings to elect the Chair and/or Deputy Chair^[3].
- F. Only votes “for” a candidate shall be taken. Where there are two or more candidates in the election, and when a vote is taken there is not a simple majority of votes cast (abstentions not counted) in favour of one of them, then the name of the person having the least number of votes shall be struck off the list. A fresh vote shall then be taken, and such votes repeated, until a simple majority of votes is cast in favour of one candidate. If only one candidate stands, provided he or she has been proposed and seconded, and it is apparent to the officer conducting the process that no other Assembly Member intends to stand, then that person shall be deemed to have been appointed as the Chair or Deputy Chair of the Assembly without a vote having to be taken.
- G. The Assembly may remove its Chair and/or Deputy Chair at any time before the expiry of their terms if it passes a notice of motion declaring them to be removed from office^[4].

Notes and definitions

[1] & [2] To fill the vacancies as the first item of business is a requirement of s51(6) of the GLA Act. The Deputy Chair becomes acting Chair whenever the former is vacant under s51(7).

[3] At common law an election of Chair is invalid if presided over by a candidate in that election. The “Chief Executive” in paragraph E refers to the Head of Paid Service.

[4] A motion under paragraph G must be moved in accordance with Standing Order 3 and, if an Urgent Motion, both the Chair of the Assembly and the Assembly itself must consent to it being considered as an urgent item of business in accordance with Standing Order 1.10 below (Urgent business and adding urgent items). To be effective such a motion must propose they are to be removed from office rather than simply expressing no confidence in the Chair or Deputy Chair.

1.6 APPOINTMENT OF COMMITTEE CHAIRS

Application: applies to the Assembly in so far as it appoints committee Chairs and Deputy Chairs, and to committees (including the Standards Committee) and subcommittees if allowed to appoint their own. Paragraph C shall not apply to the Standards Committee.

- A. The Assembly shall appoint the Chairs and (if any) Deputy Chairs of its committees (or, if established after the Annual Meeting, the parent committees shall appoint the Chairs and Deputies of their subcommittees) unless the Assembly or, in the case of a subcommittee so appointed, parent committee decides to allow a committee or subcommittee to elect its own. If so, the procedure in Standing Order 1.5F above shall apply to their election, which shall be conducted by the Executive Director of Secretariat or nominated officer. This paragraph is subject to paragraph E below.
- B. The Deputy Mayor may not be appointed the Chair of any committee whether ordinary or advisory.
- C. No Assembly Member can preside as the Chair or Deputy Chair of a committee if that body's remit includes the scrutiny of a function or power of:
 - (1) the Mayor; or
 - (2) a Functional Bodyand that person (either directly or as a Member of the Functional Body or other body in question) exercises or assists in the exercise of those functions or powers.
- D. If the position of committee Chair or Deputy Chair falls vacant then the Assembly shall fill the vacancy at its next meeting. If there is a Deputy Chair then he/she shall be the acting Chair until the vacancy is filled.
- E. The Chair and Deputy Chair of the Standards Committee shall be appointed by the members of that Committee in accordance with Standing Order 11.2G. The Executive Director of Secretariat or his/her nominated representative shall conduct proceedings for the election of the Chair.
- F. Advisory committees and their subcommittees^[1] may have Chairs or Deputies who are not Assembly Members.

Notes and definitions

[1] Under s55(3) of the GLA Act 1999 an ordinary committee may not include non Assembly Members but advisory committees may under s55(4)

1.7 POWERS TO CALL EXTRAORDINARY MEETINGS

Application: applies to the Assembly (other than MQTs), its committees and subcommittees and to the Standards Committee.

- A. The Chair of the Assembly may call an extraordinary meeting of the Assembly at any time^[1].
- B. The Business Management and Appointments Committee of the Assembly may, by agreement, call an extraordinary meeting of the Assembly at any time.
- C. The Chair of a committee and of the Standards Committee may only call additional meetings of that body if in doing so the maximum number of meetings prescribed under Standing Order 1.3G above for that Assembly year (if any) has not been exceeded. Where that prescribed number is exceeded then any further extraordinary meetings may only be called in accordance with rules and procedures approved under Standing Order 1.3G.
- D. Before calling the extraordinary meeting the Chair shall consult the Deputy Chair (if any) and in the case of an Assembly meeting, if practicable to do so, he/she shall consult the Political Group Leaders.
- E. An extraordinary meeting called under this Standing Order 1.7 may only transact business included in the agenda accompanying the formal notice calling it.
- F. This Standing Order 1.7 does not apply to the calling of a Mayor's Question Time, which may not be called as an extraordinary meeting^[2].

Notes and definitions

[1] Chairs of committees have no power to call additional meetings of their committees unless authorised to do so by rules made by the business management committee under SO 1.3G.

[2] The GLA Act 1999 does not allow an MQT to be called as an extraordinary meeting.

General comment: If the extraordinary meeting is called on less than 5 clear working days' public notice then the urgency procedure under Standing Order 1.10A below must be followed at the start of the meeting.

1.8 MEMBERS' RIGHTS TO REQUISITION EXTRAORDINARY MEETINGS

Application: applies to the Assembly (other than MQTs), its committees, subcommittees and the Standards Committee.

Requisitions of Assembly meetings

- A. If the Chair of the Assembly refuses to call an extraordinary meeting of the Assembly after a written request has been presented to him/her for that purpose signed by any five Assembly Members or if, without so refusing, the Chair does not call and hold an extraordinary meeting within seven days^[1] after such a request was presented to him/her, then the following provisions of this Standing Order (apart from paragraph D below) shall apply to the calling of the extraordinary Assembly meeting.
- B. The Members making the request to the Chair of the Assembly under paragraph A above shall state the purpose of the proposed meeting, including the text of any motion to be proposed.
- C. After the expiry of the seven day period mentioned in paragraph A above then any five^[2] Assembly Members may forthwith call an extraordinary meeting of the Assembly by presenting the Executive Director of Secretariat with a Requisition Notice complying with paragraph E below. The extraordinary meeting thereby requisitioned must be held within 10 working days^[3] of the date the Requisition Notice was presented to the Executive Director of Secretariat. Upon receipt of the Requisition Notice, the Executive Director shall arrange for a formal notice calling the meeting to be published in accordance with Standing Order 1.11 below and circulated to all those entitled to attend as soon as possible in compliance with that notice.

Requisitions of committee meetings

- D. A meeting of a committee (ordinary or advisory, and including the Standards Committee) may be requisitioned if at least one half of its total Membership^[4] presents the Executive Director of Secretariat with a Requisition Notice complying with paragraph E below. The Executive Director of Secretariat shall immediately give a copy to the Chair of the committee. The extraordinary meeting thereby requisitioned must be held within 10 working days^[3] of the date the Requisition Notice was presented to the Executive Director of Secretariat. Upon receipt of the Requisition Notice, the Executive Director shall arrange for a formal notice calling the meeting to be published in accordance with Standing Order 1.11 below and circulated to all those entitled to attend as soon as possible in compliance with that Requisition Notice. The following provisions of this Standing Order apply to the calling of the extraordinary committee meeting thereby requisitioned.

General

- E. A Requisition Notice must be dated and clearly state that it is a formal requisition to call a meeting under this Standing Order 1.8. Notice of the meeting must set out the precise date and time^[5] of the extraordinary meeting and an agenda of the items of business to be considered, including (where an Assembly meeting) the text of any motion and named proposer and seconder.

- F. An extraordinary meeting shall be cancelled if the Requisition Notice is withdrawn before the day of the meeting. The notice may only be withdrawn by notice in writing (in this provision emails and faxes will not be accepted) signed by all Members who signed the Requisition Notice and delivered to the Executive Director of Secretariat, who shall arrange for notice to be sent to all Members entitled and for notice of the cancellation to be posted on the Authority's website.
- G. This Standing Order 1.8 does not apply to the calling of Mayor's Question Time, which may not be requisitioned as an extraordinary meeting^[6].

Notes and definitions

[1] Section 52(9) of the GLA Act sets out a statutory right to requisition meetings of the Assembly. Section 52(9) does not specify "clear days" or "working days" but simply "days", and so the time limit under paragraphs A and C includes weekends, public holidays etc as well as the day the request was made. If called on less than 5 clear days' public notice the procedure in SO 1.10A applies.

[2] Where meetings of the Assembly are concerned, s52(9) of the GLA Act requires at least 5 Assembly Members to sign the requisition for it to be valid.

[3] "Working days": see the definition in Note No.2 to Standing Order 1.9 below. Note that it is simply "days" under paragraph A but it is "working days" under paragraph C.

[4] With committees it is at least one half of its members. Independent Standards Members on the Standards Committee, and co-opted members of an advisory committee, can both make a written request under paragraph A and sign a Requisition Notice under paragraph D. So long as the required numbers do so at each stage, different persons may make the initial written request under paragraphs A or D and sign the Requisition Notice under paragraph E.

[5] Under SO 1.2E, unless the body in question decides otherwise all Assembly and committee meetings must be held at City Hall and must commence during normal office hours.

[6] The GLA Act 1999 does not allow a Mayor's Question Time to be called using the requisition procedure.

General comment: The Chair of the Assembly, or of the committee, presides at the requisitioned extraordinary meeting in the ordinary way unless absent, in which case Standing Orders 2.1 B or C apply. The quorum for a requisitioned meeting is that required by Standing Order 2.4 below. Also Standing Orders apply to the requisitioned meeting in the same way as to normal Assembly/ committee meetings.

1.9 NORMAL NOTICE PERIOD FOR MEETINGS

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

- A. A meeting of the Assembly for Mayor's Question Time shall be called by not less than 14 clear working days' public notice being given in accordance with section 100B of the Local Government Act 1972, unless it is the first such meeting after an ordinary GLA election, in which case the notice formally calling the meeting shall be given as soon as practicable after the date of the poll^[1].
- B. All other meetings of the Assembly, of its committees and of the Standards Committee shall be called by not less than 5 clear working days' public notice^[2] being given in accordance with sections 100B and 100E of the Local Government Act 1972 (as amended), unless the relevant Chair has given his/her consent to it being called on shorter notice and to the items of business on the agenda being urgent under Standing Order 1.10A or a meeting is called using the powers in Standing Order 1.7.
- C. If a committee was scheduled to meet at the time set for the Assembly meeting then its commencement will be delayed until the rise of the Assembly, and the notice published under Standing Order 1.11 below calling the Assembly meeting will indicate this.

Notes and definitions

[1] See s52(6) of the GLA Act 1999, as amended by Local Government Act 2003, s127(1), Sch 7, paras 68, 69(1), (3).

[2] A "working day" excludes a Saturday, Sunday, Christmas Day and Boxing Day and any other day that is a bank holiday, public holiday or day of public thanksgiving or mourning. A "clear day" excludes the day of the notice's publication and the day of the meeting.

1.10 CONSIDERING URGENT BUSINESS AND ADDING URGENT ITEMS

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

- A. An urgent item of business (including an item added to the agenda) may only be considered without having been open to public inspection for at least 5 clear working days^[1] if (and only if):
- (1) in accordance with section 100B(4B) of the Local Government Act 1972 the person presiding^[2] at the meeting considers that, by reason of special circumstances, the item should be considered as a matter of urgency; and (if so) makes a statement to that effect at the meeting which shall be recorded in the minutes; and
 - (2) where a motion to the Assembly is concerned, the meeting itself, by a vote without debate, agrees to proceed in those circumstances and to consider the urgent item following the proposer of the motion having explained the reasons for urgency in accordance with Standing Order 3.12B(1) below^[3].
- B. For the avoidance of doubt, the Assembly's consent under paragraph A(2) above is not required for the consideration at an Assembly Budget Meeting of a Formal Budget Amendment or a Budget Related Motion moved in accordance with Standing Order 6.
- C. Items of business to which paragraph A above applies, including those submitted on that basis, shall be referred to in Standing Orders as "Urgent Items", and motions as "Urgent Motions".

Notes and definitions

[1] A "working day" excludes a Saturday, Sunday, Christmas Day and Boxing Day and any other day that is a bank holiday, public holiday or day of public thanksgiving or mourning. "Clear day" excludes the day of publication of the notice and the day of the meeting.

[2] "Person presiding" includes the Chair or other person under Standing Order 2.1B or 2.1C. Under s100B(4)(b) of the Local Government Act 1972 it is the "chairman of the meeting" who must give consent, who is not necessarily the Chair of the body in question.

[3] This only applies to the Assembly when it considers an urgent motion, and is not a statutory requirement. Note that under Standing Order 3.12B(1) the mover of an urgent motion has the right to speak for up to 1 minute to explain why it is urgent before the vote referred to in 3.12B(2) is taken.

General note: As a result of s100B(4)(b) of the Local Government Act 1972 the Chair of the Assembly or a committee (or other person presiding at the meeting) has a statutory veto over urgent items of business ie where less than 5 clear working days has been given. Therefore paragraph A (1) applies to extraordinary meetings requisitioned under Standing Order 1.8 as well as to those called by a Chair under Standing Order 1.7.

1.11 FORMAT AND PUBLICATION OF NOTICES CALLING MEETINGS

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

- A. Every meeting of the Assembly, its committees and the Standards Committee shall be called or summoned by the publication and despatch of a formal notice in accordance with this Standing Order 1.11.
- B. Every notice formally calling a meeting of the Assembly or a committee (including a requisitioned meeting) shall be published in the name of the Executive Director of Secretariat (or the post holder undertaking those duties) in his/her capacity as “proper officer” under Part 5A of the Local Government Act 1972 (as amended)^[1].
- C. The Executive Director of Secretariat shall arrange for copies of the notice calling a meeting, together with the items listed at paragraph E below, to be sent to:
 - (1) every Assembly Member and to the Mayor; and
 - (2) in the case of committees, every member of that body including co-opted members (if any).
- D. Notices will be deemed to be published on the day the notice is dated and despatched with the items listed in paragraph E below.
- E. The notice calling a meeting shall include^[2]:
 - (1) the time, date and location of the meeting;
 - (2) an agenda of the items of business to be considered; and
 - (3) a copy of each of the reports for the meeting, unless (where distribution to the press and public is concerned) the whole or part of any report is, in the Executive Director of Secretariat’s opinion, likely to disclose exempt or confidential information within the meaning of Part 5A of the Local Government Act 1972;
 - (4) for Assembly meetings, copies of those notices of motion and amendments (if any) as were deposited with the Executive Director of Secretariat by not later than 12 noon on the sixth clear working day before the date of the meeting, to be set out in the order in which they were received;
 - (5) for MQT meetings, questions to the Mayor submitted under Standing Order 5.6 below and, for members of staff required to attend MQTs, details of the subject areas they are likely to be questioned upon as required by Standing Order 5.7D, as were deposited with the Executive Director of Secretariat by not later than 12 noon on the sixth clear working day before the date of the meeting, to be set out in the agenda in the order in which they were received;
 - (6) for meetings designated under Standing Order 1.3C above, details of the subject areas that the Mayor, members of staff or other persons are likely to be questioned upon as required by Standing Order 2.15B(1) or (2) below, as have been deposited with the Executive Director of Secretariat by not later than 12

noon on the sixth clear working day before the date of the meeting, to be set out in the agenda in the order in which they were received;

- (7) any further statements or particulars as are necessary in the Executive Director of Secretariat's opinion to indicate the nature of the items included on the agenda; and
 - (8) copies of any other documents supplied to Members in connection with the item that the Executive Director of Secretariat considers appropriate.
- F. If a report is not available at the time an agenda is published, then a supplementary agenda will be published with the report as soon as possible thereafter^[3]. (If published on less than 5 clear working days' public notice, the items of business on the supplementary agenda shall be regarded as urgent business.)
- G. If withdrawn before the date for despatch of the agenda by its proposer and seconder by notice in writing to the Executive Director of Secretariat, the notice of motion or notice of amendment is not required to be included on the agenda.
- H. Copies of the notice calling the meeting, its agenda, reports and the other items listed in paragraph E above shall (subject to paragraph E(3) above) be open for public inspection by being:
 - (1) published on the Authority's website; and
 - (2) available for collection by members of the press and public from the Secretariat, free of charge.
- I. Agendas, reports and other related documents may be despatched by electronic means or in hard copy, and the date of despatch shall refer to the earliest means by which such documents are circulated by or on behalf of the Executive Director of Secretariat.
- J. The Mayor and Assembly Members will be sent a hard copy of all documents unless they request them to be sent only in electronic format.

Notes and definitions

[1] The Executive Director of Secretariat is the designated "proper officer" for the purposes of Part 5A of the Local Government Act 1972 (access to information) under the Assembly's Scheme of Delegation.

[2] Except for paragraphs (4) to (6) the other matters listed in paragraph E are required by s100B(7) of the Local Government Act 1972 (as amended).

[3] Instead of putting the note "Report to follow" on an agenda, a supplementary agenda should be issued in accordance with paragraph F.

1.12 CHAIR'S POWERS CONCERNING THE AGENDA

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

- A. Following consultation with the Executive Director of Secretariat (or his/her representatives), the Chair may decide what business is to be transacted at the meeting and the order in which items will appear on the published agenda subject (in either case) to:
- (1) any rule of law requiring business to be considered; or
 - (2) Members raising matters/issues at meetings by notice of motion under Standing Order 3.3F or (in the case of a committee) which have been referred to the committee;
 - (3) the Chief Executive⁽¹⁾ requiring that the published agenda for the meeting is to include a particular item of business, or particular content in a report, following consultation with the Chair, Monitoring Officer and Section 127 Officer;
 - (4) any previous decision of the body in question to defer an item for consideration to that meeting, or a decision of the Assembly to refer an item to a committee under Standing Order 3.13.
- B. If in the opinion of the Chair, after consultation with the Executive Director of Secretariat, any question, motion, recommendation in a report or amendment is unlawful or improper or fails to comply with Standing Orders, then the Chair may determine that it is out of order and shall not be considered by the meeting and, if necessary, excluded from the printed agenda. The Chair shall contact the Member(s) who submitted the motion, report or amendment as soon as practicable giving reasons for his/her decision.

Notes and definitions

[1] "Chief Executive" in paragraph A(3) refers to the Head of Paid Service.

1.13 CANCELLING MEETINGS AFTER THE FORMAL NOTICE HAS BEEN PUBLISHED

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

- A. Except in the case of scrutiny review meetings, where a formal notice calling a meeting of the Assembly or of a committee has been published under Standing Order 1.11 above, the meeting may not be cancelled or postponed^[1].
- B. Scrutiny review meetings may be cancelled after the formal notice has been published if, for example, witnesses are unable to attend and the meeting has no substantive business to discuss. In this situation the Executive Director of Secretariat may cancel the meeting following consultation with the Chair, and shall then notify all members of the body concerned of the cancellation and publish a notice to that effect on the Authority's website as soon as possible^[2].
- C. Paragraph A above shall not apply to a meeting requisitioned under Standing Order 1.8 above.
- D. Where a meeting is postponed under B above, the business will be considered on a date agreed for the holding of the postponed meeting. Where a meeting is cancelled the business will fall, and will only be discussed at a subsequent meeting if it is added to the agenda in the usual way.

Notes and definitions

[1] It is doubtful whether a meeting, once properly convened by service of the notice of meeting, may be lawfully cancelled or postponed. The proper course is to convene the meeting and immediately adjourn it.

[2] The agendas for scrutiny review meetings are often fluid and, in order to avoid convening meetings at which no witnesses are able to attend nor substantive business is programmed, these meetings may be postponed or cancelled if the Chair agrees.

1.14 MINUTES OF MEETINGS

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

- A. The Executive Director of Secretariat shall keep minutes of the proceedings of all meetings of the Assembly, its committees and of the Standards Committee in such form as he/she determines from time to time^[1].
- B. Minutes shall be presented at the next suitable meeting of the body in question for their approval as a correct record of the proceedings, and shall be signed by the Chair or other person presiding. For the purposes of these Standing Orders and section 56(4) of the GLA Act 1999 the “next suitable meeting” is that meeting in respect of which the minutes to be approved were available to be published with the agenda^[2].
- C. In relation to Mayor’s Question Time “minutes” includes the text of any question put pursuant to section 52(3) at the meeting, the text of the answer given to any such question, and whether the question was put, or the answer given, orally at the meeting or in writing subsequently^[3]. This rule shall also apply to questions and answers given at meetings designated under Standing Order 1.3C(4) above.
- D. The minutes shall also include a record of all Members attending the meeting and other persons participating in the proceedings, including the Mayor.
- E. The minutes of a meeting of a subcommittee shall be reported to the next suitable meeting of its parent committee.
- F. Where necessary, the Executive Director of Secretariat may edit the minutes to ensure their accuracy and lawfulness.

Notes and definitions

[1] As required by s56, GLA Act, the Assembly approves the form of the minutes but this is delegated by paragraph A to the Executive Director of Secretariat.

[2] Section 56(4), GLA Act 1999 allows Standing Orders to state what is to be regarded as the next suitable meeting, which para B does.

[3] This is a requirement of s56(5) of the GLA Act which defines what minutes are to include in the context of MQT.

General comment: Section 56(3) of the GLA Act states that any minute purporting to be signed by the person presiding at its next suitable meeting (as in paragraph B above) is to be received in evidence without further proof. Paragraphs A to D are required by section 56, GLA Act 1999.

1.15 COMMUNICATIONS CONCERNING ASSEMBLY BUSINESS

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

- A. All notifications to Members from the Chair of the Assembly or from the Chair of a committee about meetings and their business shall go via the Executive Director of Secretariat.
- B. All notices, reports or other notifications sent to the Assembly or to a committee by the Mayor, Assembly Members or other persons, shall be regarded as having been properly given if delivered to the Chair of the Assembly or the Chair of the committee in question.

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STANDING ORDER 2

REQUIREMENTS FOR HOLDING MEETINGS

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 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 s66 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^[2] 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/or 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 2.10A 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.

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.

[2] Chairs' powers are also referred to in SO1.12 (Chair's Powers concerning the Agenda) and SO9.2 (Standing Delegation to Chairs).

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.

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 (ie 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 (ie 17 members if no seats are vacant).
- 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 a quorum is restored, the meeting will continue and finish the business on the agenda.
- G. If, following an adjournment, the Assembly, committee or subcommittee 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 1.11^[3]

Notes and definitions

[1] Paragraphs A and B are statutory requirements and reflect the wording of s53(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 subcommittees between political groups on a non-proportional basis (ie not in accordance with the principles set out in s15(5) of the Local Government and Housing Act 1989) requires the consent of the Assembly given by unanimity of votes cast ie no Member voting against: see s17(1)(b) of the Local Government and Housing Act 1989.

[3] Paragraph C reflects the mandatory requirements of ss53 (1) and (3) of the GLA Act 1999.

2.6 VOTING

Application: applies to the Assembly, its committees and subcommittees and to the Standards Committee: but paragraph C below is suspended in accordance with SO 6.6 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 6.6E.

- 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 Standing Order 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 1.1I 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 (s53(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. 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 6.6E.

[4] Assembly Budget Meetings: paragraph D is suspended by SO 6.6 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 ss85(4) to (8) of the GLA Act 1999 in respect of the GLA and Functional Bodies – see SO 6.6. (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 6.12G) and where a Budget Related Motion comprises separate elements these can be voted upon individually.)

[5] This reflects the fact that s53(1) implies that every Member has one vote and s53(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 subcommittee 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 to take in private session, as set out in Part I of Schedule 12A to the Local Government Act 1972.

[2] "Confidential information" (as defined by s100A(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, ss58(3) and (4) of the GLA Act 1999 add four further categories of confidential information relating to Transport for London and the London Development Agency (set out in subparagraph (4)) as to when the Assembly/committee must go into private session. Also, s65 of the GLA Act applies access to information provisions to documents obtained using the powers under s61(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 comment: 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.
- C. 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.

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.

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.

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 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 affect prejudicially 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 (ie 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 I 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 paragraph B, although the discretion to conduct the business in public exists.

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 1.3C 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 1.3C(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 six 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 six 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.
- 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 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 sections 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.

STANDING ORDER 3

GENERAL RULES FOR MOTIONS, REPORTS, AMENDMENTS AND PETITIONS

3.1 RAISING ISSUES BEFORE THE ASSEMBLY

Application: applies to the Assembly meetings only, including MQTs.

- A. All questions or matters to be decided by the Assembly shall be raised by notice of motion complying with Standing Order 3 unless:
- (1) they relate to points of order or personal explanation or questions to the Chair concerning the purpose of the meeting or the functions, powers or procedures of the Assembly;
 - (2) the law or Standing Orders allow them to be raised without notice of motion, including matters that the Chair is given to decide under Standing Orders, procedural matters the Chair is obliged to put to the meeting for its decision, and motions permitted under Standing Order 4.3B; or
 - (3) they are contained in, or concerned with, a report before the meeting.

3.2 REPORTS AND THEIR RECOMMENDATIONS

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

- A. All reports (including those from Members) shall contain legal and financial implications in accordance with such procedures for the approval and publication of reports as the Executive Director of Secretariat agrees from time to time, unless the Head of Law or Executive Director of Finance and Performance otherwise agree. (However this requirement shall not apply to reports containing Formal Budget Amendments moved at the Assembly Budget meetings.) A recommendation shall be from a named officer or from a Member/Members.
- B. A recommendation contained in a report may be amended at the meeting, without prior notice of the proposed amendment being given.
- C. Every report, recommendation or motion purporting formally to amend the Draft Consolidated Budget or the Final Draft Budget^[1], and/or containing any Budget Related Motions (including any motions or amendments seeking to amend them) shall comply with the requirements of Standing Order 6 (Assembly Budget Meetings)^{[2] [3]}.

Notes and definitions

[1] In paragraph C “Formal Budget Amendments” and “Budget Related Motions” above are as defined in Standing Order 6 (Assembly Budget Meetings).

[2] Assembly Budget Meetings: Standing Order 6 contains exhaustive requirements for the moving of motions or amendments intended formally to amend the Draft Consolidated or Final Draft Budgets. These are “Formal Budget Amendments” within the meaning of that Standing Order and they must comply with the requirements for such amendments in SO 6.10: otherwise they are deemed to be Budget Related Motions, which cannot formally amend the budget.

[3] Note that the rules concerning the scope of amendments under Standing Order 3.5 are suspended in relation to Formal Budget Amendments and Budget Related Motions – see SO 6.6A(2).

3.3 MOTIONS

Application: applies to Assembly meetings and, paragraphs F and G only, to meetings of committees, subcommittees and the Standards Committee.

- A. Every Assembly Member has the right to submit a motion and to have it considered by the Assembly if:
 - (1) notice of that motion has either been deposited with the Executive Director of Secretariat by the deadline mentioned in Standing Order 1.11^[1] or has been accepted as urgent under Standing Order 1.10A; and
 - (2) it otherwise complies with the requirements of Standing Orders (including this Standing Order 3); and
 - (3) it is proposed and seconded at the meeting.
- B. Every motion must be relevant to the functions of the Assembly or matters of importance to Londoners or those who live, visit or work in Greater London.
- C. A motion may contain statutory proposals to the Mayor under section 60 of the GLA Act 1999.
- D. Formal Amendments to the Draft Consolidated and Final Draft Budgets and other Budget Related Motions within the meaning of Standing Order 6 (Assembly Budget Meetings) may only be moved in accordance with Standing Order 6^[2].
- E. Notices of motion may not be submitted to the Annual Meeting unless accepted as urgent in accordance with Standing Order 1.10A above.
- F. Motions may only be considered by a committee if:
 - (1) the motion was referred by the Assembly under Standing Order 3.13 below; or
 - (2) exceptionally, with the agreement of the Chair of the Assembly, and following consultation with the Political Group spokespersons on his/her committee, the Chair of a committee considers that it would be appropriate for the committee to consider a motion, the subject matter of which:
 - is relevant to the functions of the Assembly or matters of importance to Londoners or those who live, visit or work in Greater London;
 - falls within that committee's approved terms of reference; and
 - is of such topicality and importance that the committee should consider it before the next scheduled meeting of the Assembly.
- G. When a motion is considered by a committee pursuant to paragraph F(2) above, it shall be considered, and may be amended etc, in accordance with the rules and procedures (as are relevant and applicable to a committee) set out in Standing Orders 3.3 to 3.11 inclusive (except Standing Order 3.3E), and Standing Order 4.1^[3] to 4.5 inclusive, modified accordingly.

Notes and definitions

[1] The deadline referred to in paragraph A(1) is 12 noon on the sixth clear working day prior to the meeting.

[2] Formal Budget Amendments and Budget Related Motions in paragraph D above are as defined in Standing Order 6 (Assembly Budget Meetings). See SO 6.10 for the format of Formal Budget Amendments and Budget Related Motions.

[3] SO 4.1E, which sets out rules for movers' rights to reply, reservation of speeches etc, does not apply at committee meetings.

3.4 SUBMITTING MOTIONS AND AMENDMENTS

Application: applies to the Assembly and, where a motion is considered pursuant to Standing Order 3.3F(2), to committees, subcommittees and the Standards Committee; but SO 3.4 (in whole) is suspended in relation to Formal Budget Amendments, and paragraph E below (only) is suspended in relation to Budget Related Motions, at the Assembly Budget Meetings in accordance with SO 6.6A(2).

- A. A motion shall be placed before the meeting by a notice of motion made in writing, or if proposed orally from the floor it shall be reduced to writing, so as (in either case) to set out:
 - (1) the text of the proposed motion or amendment; and
 - (2) the names of the Members proposing and seconding it; and
 - (3) if moved by notice beforehand, the date of the meeting to which the motion is submitted, which if not stated will be presumed to be the next Assembly meeting (including Mayor's Question Time).
- B. The Chair shall advise the meeting at the earliest opportunity of any motion or notice of any motion received but not printed on the order paper of the meeting.
- C. Nothing in this Standing Order 3.4 shall prevent a motion or an amendment from being considered if moved orally from the floor. If a motion (other than a procedural one moved under Standing Order 4.3B) or amendment has not already been circulated in written form (including where it has been moved orally from the floor), the Chair may defer or adjourn debate in order for the motion to be put into writing and circulated to every Member present at the meeting.
- D. If a notice of motion or notice of amendment is deposited with the Executive Director of Secretariat by the deadline referred to in Standing Order 1.11^[1] it shall be printed and included in the agenda for the meeting.
- E. If received after the deadline mentioned in paragraph D but before the day of the meeting, the Executive Director of Secretariat will copy the proposed notice of motion or amendment to all Assembly Members electronically and shall provide copies at the meeting^[2].
- F. If a motion or amendment, whether moved by notice of such or moved from the floor, is the same or substantially the same as one that has been rejected by the Assembly within the preceding 6 months then the motion/amendment shall not be considered unless it bears the name of at least 7 Assembly Members or, if moved from the floor, at least 7 Assembly Members shall indicate their support.

Notes and definitions

[1] The deadline referred to in paragraph D is 12 noon on the sixth clear working day before the meeting.

[2] If moved during a meeting without 5 clear working days' prior public notice and it relates to a new item of business, then (a) the Chair must give his/her consent under Standing Order 1.10A; and (b) the Assembly must consent to it being considered.

Assembly Budget Meetings: At Assembly Budget Meetings the whole of SO 3.4 is suspended in relation to Formal Budget Amendments. As regards Budget Related Motions only paragraph F above (requirement to have 7 signatures etc where moving a previously rejected motion or amendment) is suspended; as a result a Budget Related Motion must comply with SO 3.4A to E. See SO 6.6A(2).

3.5 SCOPE OF AMENDMENTS

Application: applies to the Assembly and, where a motion is considered pursuant to Standing Order 3.3F(2), to committees, subcommittees and the Standards Committee; but paragraphs A and B below are suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with SO 6.6A(2).

- A. An amendment shall be relevant to the motion or recommendation being considered, and shall be to:
 - (1) refer a subject of debate to a committee for consideration or reconsideration with or without instructions;
 - (2) leave out words;
 - (3) leave out words and insert or add others; or
 - (4) insert or add words.
- B. An amendment shall not have the sole or substantially the effect of:
 - (1) making negative the motion, recommendation or amendment before the meeting; nor
 - (2) introducing a new proposal unrelated to the subject matter of the motion or report; nor
 - (3) introducing a new proposal that negatives the effect of the motion or recommendations in question.
- C. If in the opinion of the Chair, after consultation with the Executive Director of Secretariat, any amendment to a motion or recommendation in a report is unlawful, improper or fails to comply with Standing Orders, then the Chair may determine that it is out of order and it shall not be considered by the meeting and shall, if appropriate, be excluded from the published agenda and/or minutes.

Notes and definitions

Assembly Budget Meetings: The rules under paragraphs A and B above concerning the permitted scope of amendments are suspended in their entirety in relation to Formal Budget Amendments and Budget Related Motions. [See SO 6.6A(2).] Paragraph C continues to apply to both.

3.6 ALTERATION AND WITHDRAWAL OF MOTIONS AND AMENDMENTS

Application: applies to the Assembly and, where a motion is considered pursuant to Standing Order 3.3F(2), to committees, subcommittees and the Standards Committee; but SO 3.6 (in whole) is suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with SO 6.6A(2).

- A. A Member may, with the consent of the meeting signified without discussion:
- (1) alter a motion that he or she has proposed, or alter the recommendations in such a report (but only where the report is from that Member); or
 - (2) with the consent of his/her seconder, accept an amendment to his/her motion or to the recommendations in his/her report;
- if (in any such case) the alteration is one which could be made as an amendment under Standing Order 3.5 (Scope of amendments).
- B. The proposer of a motion or of the recommendations contained in a Member's report may withdraw them if both his or her seconder and the meeting (signified without discussion) give permission to do so. Once the proposer has received permission for its withdrawal no Member may speak upon it and it is deemed to have been withdrawn.

Notes and definitions

Assembly Budget Meetings: the whole of Standing Order 3.6 is suspended during the consideration of a Formal Budget Amendment or Budget Related Motion at an Assembly Budget Meeting. See SO 6.6A(2).

3.7 CONSIDERATION OF AMENDMENTS TO MOTIONS AND REPORTS

Application: applies to the Assembly and, where a motion is considered pursuant to Standing Order 3.3F(2), to committees, subcommittees and the Standards Committee.

- A. An amendment to a motion, or to the recommendations in a report (whether a Member's or officer's report), must be proposed and seconded.
- B. Such an amendment can be proposed at any time during the debate or (in the case of Assembly meetings) it may be proposed beforehand by notice of amendment.

Notes and definitions

If lodged in time, a notice of amendment can be included in the published papers for the meeting – see Standing Order 1.11.

3.8 ORDER OF DEBATING AND LIMIT ON NUMBER OF AMENDMENTS

Application: applies to the Assembly and, where a motion is considered pursuant to Standing Order 3.3F(2), to committees, subcommittees and the Standards Committee; but SO 3.8 (in whole) is suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with SO 6.6A(2).

- A. Subject to B below, only one amendment to a motion or the recommendations in a report may be proposed to the meeting at any one time and no further amendment shall be moved (by being proposed and seconded) until the amendment under discussion has been disposed of.
- B. If the Chair considers that it would assist the conduct of business to permit two or more amendments to be discussed (but not voted on) concurrently, they will be debated in the order they were received unless the Chair considers that it will assist business to debate them together or in a different order.

Notes and definitions

Assembly Budget Meetings: This Standing Order is suspended when Formal Budget Amendments and/or Budget Related Motions are being considered at either Assembly Budget Meeting. [See SO 6.6A(2).] At the Assembly Budget Meetings all such amendments and motions are to be debated at the same time (see SO 6.12F) and there is no limit on the number of motions and amendments that can be considered consecutively.

3.9 BAR ON CONSECUTIVE AMENDMENTS WITH THE SAME EFFECT

Application: applies to the Assembly and, where a motion is considered pursuant to Standing Order 3.3F(2), to committees, subcommittees and the Standards Committee; but SO 3.9 (in whole) is suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with SO 6.6A(2).

- A. If an amendment to a motion or to a recommendation in a report is lost, no other amendment having the same or substantially the same effect as the lost amendment may be moved.
- B. The Chair shall decide whether paragraph A applies to any particular amendment.

Notes and definitions

Assembly Budget Meetings: This Standing Order is suspended when Formal Budget Amendments and/or Budget Related Motions are being considered at either Assembly Budget Meeting. [See SO 6.6A(2).]

3.10 EFFECT OF SUCCESSFUL AMENDMENT

Application: applies to the Assembly and to committees, subcommittees and the Standards Committee; but SO 3.10 (in whole) is suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with SO 6.6A(2).

- A. If an amendment is carried then:
 - (1) the motion or recommendations thereby amended shall take the place of the original version and shall become the motion or recommendations upon which further amendments may be moved: the Chair shall indicate this to the meeting;
 - (2) any amendment moved in relation to the text of the original version of the motion or recommendations (ie before their amendment) shall then fall unless equally applicable to the amended motion or recommendation;
 - (3) the motion or recommendations (as then amended in their final form) shall be put to a vote as the substantive question before the meeting.
- B. Paragraph A applies to motions and to recommendations in reports.

Notes and definitions

Assembly Budget Meetings: This Standing Order is suspended when Formal Budget Amendments and/or Budget Related Motions are being considered at either Assembly Budget Meeting. [See SO 6.6A(2).] The effect of a successful Formal Budget Amendment to the Draft Consolidated and Final Draft Budgets is governed by Standing Order 6.

3.11 CHAIR'S POWERS CONCERNING MOTIONS, REPORTS AND AMENDMENTS

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

- A. The Chair shall rule on the admissibility of all motions, recommendations in reports and amendments to them and on their compliance with Standing Orders.
- B. If in the opinion of the Chair, after consultation with the Executive Director of Secretariat or his/her representative, any question, motion, recommendation(s) in a report, or amendment to either (including in particular anything covered by Standing Order 3.16 Reversal of previous meeting's decisions and motions) is unlawful, improper, or fails to comply with Standing Orders, then the Chair may determine that it is out of order and it shall not be considered by the meeting. (This rule applies whether the motion etc was proposed during or before the meeting.)

3.12 URGENT MOTIONS AT ASSEMBLY MEETINGS

Application: applies to the Assembly only; but paragraphs B(1) and (2) below are suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with SO 6.6A(2).

- A. This Standing Order 3.12 only applies to the consideration of motions by the Assembly in circumstances where the notice of motion has not been open to public inspection for at least 5 clear working days before the meeting^{[1] [2]}, in which case paragraph B below shall apply.
- B. If (and only if) the Chair of the meeting^[3], in accordance with Standing Order 1.10A(1), consents because there are special circumstances (which shall be specified in the minutes) to the motion being considered as a matter of urgency in accordance with section 100B(4)(b) of the Local Government Act 1972 then:
- (1) the proposer of the motion may make an oral statement of up to 1 minute in length as to why the Assembly should agree to consider it;
 - (2) the Assembly shall then decide, by taking a vote without debate, whether or not to treat the motion as urgent under Standing Order 1.10A(2) and to consider it.

Notes and definitions

[1] This reflects the statutory requirement in section 100B(3) of the Local Government Act 1972 that agendas, reports etc are open for inspection by the public for at least 5 clear working days or else they cannot be considered unless urgent.

[2] A “working day” excludes a Saturday, Sunday, Christmas Day and Boxing Day and any other day that is a bank holiday, public holiday or day of public thanksgiving or mourning. “Clear day” excludes the day of publication of the notice and the day of the meeting.

[3] Standing Order 1.10 covers urgent business. Paragraph B(1) reflects the procedure under s100B(4)(b) of the Local Government Act 1972, where the Chair of the meeting must be of the opinion that the item should be considered at the meeting as a matter of urgency by reason of special circumstances. As a result the Chair of the meeting (including any other person presiding) has a statutory veto over whether urgent business can be considered under s100B(4)(b). It is the person who chairs the meeting who must consent to the item being considered for special circumstances, so if the Chair of the Assembly/committee is not present at the meeting, then whoever is the person presiding must give his/her consent, and so has a statutory veto over such business being considered.

Assembly Budget Meetings: Paragraphs B(1) and (2) are suspended when Formal Budget Amendments and/or Budget Related Motions are being considered at either Assembly Budget Meeting, so that the Assembly does not have to agree to take a motion on less than 5 clear working days’ notice, although the Chair must consent to do so under s100B(4)(b) of the 1972 Act. [See SO 6.6A(2).]

3.13 REFERRAL OF MOTIONS WITHIN A COMMITTEE'S REMIT

Application: paragraphs A and B apply to the Assembly only. Paragraph C applies to committees, including the Standards Committee, and to subcommittees. The whole of SO 3.13 is suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with SO 6.6A(2).

- A. Where the subject matter of a motion to the Assembly (whether moved orally or by notice) comes within the terms of reference of a particular committee (including the Standards Committee) then any Member may propose that the Assembly, on a vote without discussion, refers the motion to that named committee.
- B. Before it takes the above vote, the proposer of the original motion shall have the right to make a statement of up to 1 minute in length as to why it should not be so referred, after which the question of referral shall be put to the vote.
- C. The committee in question shall consider a motion so referred at its next meeting, or as soon as practicable thereafter, and report their conclusions back to the Assembly.
- D. This Standing Order shall not apply to motions accepted as urgent business under Standing Order 1.10.

Notes and definitions

Assembly Budget Meetings: This Standing Order is suspended so as not to allow any Formal Budget Amendment or Budget related Motion to be referred to a committee. [See SO6.6A(2).]

3.14 MOVER OF A REFERRED MOTION'S RIGHT TO ATTEND COMMITTEE MEETING

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

- A. The Assembly Member who proposed a motion referred to a committee under Standing Order 3.14 shall:
 - (1) be given notice of the meeting of the committee at which it is proposed to consider the motion; and
 - (2) have the right to attend the meeting and, if he/she attends, have an opportunity of explaining the motion^[1].
- B. The speech of the proposer of a motion at a committee will not exceed five minutes.

Notes and definitions

[1] Unless he/she is a member of the committee to which the motion has been referred (including as a substitute) the proposer of a referred motion cannot vote at the meeting.

3.15 MOTIONS NOT MOVED

Application: applies to the Assembly only.

A. If a motion to the Assembly is not moved:

- (1) by the Member who gave notice of it; or
- (2) by some other Assembly Member at the meeting

it shall be treated as withdrawn and shall not be moved without fresh notice unless the Assembly, by a vote taken without discussion, consents to it being postponed to a future meeting.

3.16 REVERSAL OF PREVIOUS MEETINGS' MOTIONS AND DECISIONS

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

- A. Where the purpose or effect of a proposal is to reverse a previous decision or resolution of that body^[1]^[2] taken at a previous meeting, then such a proposal may only be raised:
- (1) at Assembly meetings, by a motion or an amendment to a motion or by a report from an officer or from a Member lodged with the Executive Director of Secretariat; or
 - (2) at committee meetings (including the Standards Committee), by an officer's or Member's report or by a proposal raised from the floor at the meeting;
- and (in either case) it shall be subject to and comply with the requirements of this Standing Order 3.16.
- B. In order for it to be considered at a meeting, where the decision or resolution in question was passed within the preceding 6 months, the notice of motion or notice of amendment or Member's report (as the case may be) must bear the names of 7 Members of the committee or Assembly when lodged with the Executive Director of Secretariat. This must be at least 7 clear working days before the agenda is sent out, or less where the Chair decides the matter is urgent business.
- C. Paragraphs A and B above shall not apply to recommendations contained within an officer report proposing a reversal of a previous decision, or to any motion or recommendation for reversal moved in pursuance of a report approved by a committee.
- D. A committee may not purport to reverse a decision of their parent body or another body or of the Assembly, but instead shall submit a report to the Assembly recommending such action.
- E. Once the Assembly has finished its consideration of the Draft Consolidated or Final Draft Budgets, a resolution passed by it formally amending or approving either budget may not be later reversed under this Standing Order 3.16.
- F. Once the Standards Committee has determined any matter referred to a Formal Determination Hearing^[3] then any such decision may not be later reversed under this Standing Order 3.16.
- G. Paragraphs E and F above may not be suspended under Standing Order 1.11 (Suspension of Standing Orders).

Notes and definitions

[1] The decision or resolution being reversed must be legally capable of reversal.

[2] The Chair has the power to rule out of order motions or amendments were these to be unlawful – see SO 1.12B.

[3] A Formal Determination Hearing refers to hearings concerning matters referred to the Standards Committee for determination in accordance with regulations made under s66 of the Local Government Act 2000 or in connection with the alleged breach of non-statutory protocols to the GLA Code of Conduct.

3.17 STATUTORY PROPOSALS TO THE MAYOR: SECTION 60 GLA ACT 1999

Application: paragraphs A-C apply only to the Assembly, and paragraph D applies only to committees, subcommittees and the Standards Committee.

- A. Only the Assembly^[1] may approve a statutory proposal to the Mayor under section 60 of the GLA Act 1999, necessitating a response to any such proposal from the Mayor in accordance with section 45(2) of the Act in an MQT Report and paragraph B below.
- B. The report required to be submitted by the Mayor under section 45(2) shall include his response to proposals submitted by the Assembly under section 60.
- C. The Assembly may make statutory proposals under section 60 at any time. This may be by notice of motion or amendment (by prior notice or from the floor, including as part of a Budget Related Motion^[2]) or following a recommendation to do so from a committee.
- D. A committee or subcommittee, and the Standards Committee, may at any time recommend to the Assembly that it makes a statutory proposal to the Mayor under section 60 of the GLA Act 1999.

Notes and definitions

[1] Section 60(2) of the GLA Act prevents committees from making statutory proposals under s60.

[2] Budget Related Motions are defined in Standing Order 6.

3.18 SCOPE AND PROCEDURE FOR LODGING PETITIONS

Application: applies to the Assembly only.

- A. Any member of the public or representative of an organisation may request in accordance with this Standing Order that a Member of the Assembly presents a petition to a plenary meeting^[1] of the Assembly concerning any matter:
- (1) within the responsibilities of the Mayor of London or London Assembly, or the Functional Bodies; or
 - (2) otherwise of importance to Londoners, including those who visit, live or work in Greater London.
- B. In order to be considered a petition must:
- (1) be addressed to the Mayor, the Assembly, a Functional Body (as the case may be);
 - (2) clearly indicate the name, address and contact telephone number of the person organising the petition, or where the petition was organised on the internet, its data controller^[2];
 - (3) be presented in the form of printed sheets, each of which includes the “prayer” of the petition (the “prayer” is the formal request or other matter that the petition is about) or, if the petition was organised on the internet, clearly demonstrate that internet users who subscribed to the petition knew what the prayer was;
 - (4) include each petitioner’s name and address (sufficient that the person and their address can be identified), as well as his/her signature or, where the petition was organised on the internet, their names and email addresses;
 - (5) indicate the total number of manual or electronic signatories to the petition.
- C. Written notice of intention to present a petition at an Assembly meeting, together with a copy of it, must be delivered to the Executive Director of Secretariat by no later than 12 noon six clear working days before the date of the meeting.
- D. The Executive Director of Secretariat will look at the petition to ensure that it complies with the requirements of this Standing Order and will bring any problem or defect to the Chair’s attention.
- E. The Chair may rule on the admissibility of the petition and may exclude any that fail to comply with this Standing Order.
- F. Petitions may not be presented to committees or to the Assembly’s Annual Meeting or to either of the two Assembly Budget Meetings.

Notes and definitions

[1] An Assembly plenary meeting in paragraph A is one that is not an MQT, the Annual Meeting or an Assembly Budget Meeting.

[2] “Data controller” in paragraph B(2) above has the meaning given to it in the Data Protection Act 1998 as (subject to subsection 1(4) of that Act): *“a person who (either alone or jointly or in common with other persons) determines the purposes for which and the manner in which any personal data are, or are to be, processed.”* Section 1(4) states: *“Where personal data are processed only for purposes for which they are required by or under any enactment to be processed, the person on whom the obligation to process the data is imposed by or under that enactment is for the purposes of this Act the data controller.”*

3.19 PRESENTATION OF PETITIONS TO THE ASSEMBLY

Application: applies to the Assembly only.

- A. An Assembly Member presenting a petition accepted under Standing Order 3.19 shall do so by reading out the request or “prayer” of the petition (but not the names of the signatories). Otherwise, on that occasion he or she shall not speak on the petition and the petition will not be debated.
- B. If the Assembly Member due to present the petition is not in attendance, an alternative Assembly Member may present it subject to the permission of the Chair.
- C. The Assembly will decide, by a vote without debate, whether or not to forward the petition to the Mayor, a Functional Body, a committee or some other appropriate organisation with a request for a response to the points made in the prayer to the petition.
- D. Any response received will be reported to the Assembly for information and forwarded to the petition’s organiser.
- E. The petition, including the text of the prayer but not its signatories, will be reported in the minutes of the meeting to which it was presented. The subsequent response (if any) received will be published in the minutes of the next appropriate Assembly meeting.

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STANDING ORDER 4

RULES FOR THE DEBATE

4.1 SPEECHES

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

- A. All speeches shall be addressed to the Chair.
- B. The Chair shall be heard without interruption when speaking.
- C. When the Chair is on his/her feet, no other Member may remain standing.
- D. Only at Assembly meetings, Members shall stand when making speeches on motions, reports or amendments to them.
- E. Any Member who moves a motion, an amendment or a report may speak to it. If the report is from an officer the Chair may invite the appropriate officer to speak, including at Assembly meetings.
- F. At Assembly meetings only:
 - (1) when seconding a motion or amendment, the seconder may, if he/she then declares an intention to do so, reserve his/her speech until a later period of the debate;
 - (2) the mover of a motion or a Member's report (whether or not amended) has a right to reply at the close of the debate on the motion or report, immediately before it is put to the vote;
 - (3) if an amendment is moved, the mover of the original motion or Member's report shall, in addition to the mover of the amendment, also have a right of reply at the close of the debate on the amendment, but any reply shall be strictly confined to answering previous speakers and shall not introduce any new matter into the debate;
 - (4) if multiple amendments are debated concurrently, the mover of the original motion will have a right of reply only at the close of the debate. If amendments are taken in sequence, the mover of the original motion may reply at the end of the debate on each of the amendments moved (for the avoidance of doubt the above rules in this paragraph F shall not apply at committee meetings, including the Standards Committee).
- G. The Chair shall decide the order of speakers at the meeting.
- H. While a Member is speaking the other Members shall remain silent, unless making a point of order or personal explanation under Standing Order 4.4 below or asking the Chair a question under Standing Order 2.3.

- I. Members shall direct their speeches to the question or matter under discussion, or to the personal explanation or point of order being made under Standing Order 4.4 below unless asking the Chair a question under Standing Order 2.3.

4.2 LENGTH OF SPEECHES

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

- A. Subject to B and D below, at Assembly meetings Members' speeches, including when moving a motion, shall not exceed 5 minutes except for the mover of a motion.
- B. The proposer of a Formal Budget Amendment and/or a Budget Related Motion shall not exceed 10 minutes.
- C. At Standards Committee, other committee or subcommittee meetings, no speech shall exceed 5 minutes, including the speech of a mover of a motion.
- D. At the beginning of each debate the Chair may determine that speeches are shorter or, exceptionally, that they may be longer. The Chair shall state the length of speeches and the reasons for his/her decision.
- E. Subject to paragraph C above, the Mayor's speeches shall not exceed 5 minutes in length. This paragraph E shall apply to the Assembly Budget Meetings but not to a Mayor's Question Time^[1].

Notes and definitions

[1] For the avoidance of doubt, Paragraph E above applies at the Assembly Budget Meetings (where the Mayor's speech is also governed by Standing Orders 6.3D and 6.4C) but not the MQT, where the relevant provision is Standing Order 5.4A, which applies to the Mayor's oral update on his/her MQT Report and limits it to 5 minutes.

4.3 RESTRICTION ON MOVING MOTIONS DURING THE DEBATE

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

- A. When a motion or report is under debate no other motion shall be moved by a Member except one mentioned in paragraph B or allowed by paragraph C below.
- B. Subject to paragraph C, the following motions may be moved orally without prior notice:
 - (1) to amend a motion or report;
 - (2) to proceed to the next item of business on the agenda under Standing Order 4.5B below^[1];
 - (3) that the question be now put to a vote in accordance with Standing Order 4.5C below;
 - (4) to adjourn the debate under Standing Order 4.5D below;
 - (5) to adjourn or suspend the meeting under Standing Order 4.5D below;
 - (6) that a named Member be not further heard under Standing Order 2.10B, by the Chair or another Member;
 - (7) that a named Member shall immediately leave the meeting, by the Chair under Standing Order 2.10B;
 - (8) a motion under section 100A or 100D of the Local Government Act 1972 to exclude the press and public;
 - (9) to extend the meeting under Standing Order 2.9;
 - (10) a motion that the Chair considers necessary to move in the circumstances in order to comply with a legal requirement.
- C. Nothing in this Standing Order 4.3 shall restrict or inhibit the Chair from raising any question or issue of procedure with Members for the meeting's guidance or approval, or from exercising any power or function given to the Chair under Standing Orders, including those relating to the Chair's general duties, Standing Order 2.2 in particular.

Notes and definitions

[1] The Procedural Motions referred to in paragraphs B(2) to (5) are set out in Standing Order 4.5 below.

Assembly Budget Meetings: Under SO 6.6C, paragraph B above is varied so as to allow the Substantive Motion, or a Formal Budget Amendment or Budget Related Motion as defined and in accordance with Standing Order 6 (Assembly Budget Meetings), to be moved in addition to those listed in paragraphs B (1) to (10) above.

4.4 POINTS OF ORDER AND PERSONAL EXPLANATIONS

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

- A. An Assembly Member or the Mayor may indicate to the Chair that he/she wishes to speak on a point of order or in personal explanation, and shall be heard as the next speaker unless the Chair decides that he/she should be heard later in the meeting.
- B. A POINT OF ORDER shall relate only to an alleged procedural breach. In order to raise a point of order validly with the Chair, the Member must say that he/she is raising a point of order and state which provision in Standing Orders or statutory provision he/she is raising.
- C. A PERSONAL EXPLANATION shall be confined to some material part of a speech by the Assembly Member or the Mayor during the meeting which appears to have been misunderstood in the present debate, or to an allegation as to the Mayor or Member's conduct that appears to have been misunderstood or misinterpreted.
- D. If it appears that statements or actions of a Member not present at a meeting have been misunderstood, or an allegation as to the Member's conduct appears to have been misunderstood or misinterpreted, the Member may, with the consent of the Chair, make a personal explanation at the next meeting they attend.
- E. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall be final and not open to discussion.

4.5 THE PROCEDURAL MOTIONS

Application: applies to the Assembly, its committees, subcommittees, and the Standards Committee, except when the latter undertakes a Formal Determination Hearing.

- A. Any single Member may move without comment, at the end of a speech of another, one of the following motions (“procedural motions”):

- *“to proceed to the next item of business on the agenda”;*
- *“that the question now be put to a vote”;*
- *“that the debate now be adjourned”;*
- *“that the meeting now adjourns”;*

on the seconding of which the Chair shall proceed as set out below, and all votes on such procedural motions shall be taken without discussion. (If moved during a speech, the procedural motion will be considered after the speaker has finished.)

- B. ON A MOTION TO PROCEED TO NEXT BUSINESS: unless in the Chair’s opinion the matter before the meeting has been insufficiently discussed, he/she shall put to the vote the motion *“To proceed to the next business”*, with the effect that (if the motion is passed) the item of business under consideration shall fall, subject to paragraphs (1) and (2) below:

- (1) at Assembly meetings: the Chair shall give the mover of the original motion or Member’s report a right of reply^[1] prior to the vote on the procedural motion being taken;
- (2) at committee meetings: the Chair may ask a relevant officer to comment before the vote is taken.

- C. ON A MOTION THAT THE QUESTION NOW BE PUT TO A VOTE: unless in the Chair’s opinion the matter before the meeting has been insufficiently discussed, the Chair shall first put to the vote that *“The question now be put”* with the following effect:

- (1) at Assembly meetings: if the procedural motion is passed, the Chair shall then give the mover (only) of the original motion/Member’s report a right of reply^[1] limited to 2 minutes in length after which no other Member shall be permitted to speak; after the mover’s speech the Chair shall put the motion or report under consideration to the vote, together with any amendments that have been moved by that point;
- (2) at committee meetings: if the procedural motion is passed, the Chair shall put the recommendations of the report to the vote, together with any amendments that have been moved by that point.

- D. ON A MOTION TO ADJOURN THE DEBATE OR TO ADJOURN THE MEETING: if in the Chair’s opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion, the Chair shall put the

adjournment motion to the vote without giving the mover of the original motion or Member's report his/her right of reply^[1] on that occasion.

- E. If a motion to adjourn is passed under paragraph D then the Chair shall indicate the date and time when the meeting or debate (as appropriate) will resume or (if the meeting so agrees) the Chair, following the meeting, shall decide the date and time of the resumption, which shall be communicated to all Members entitled to attend.
- F. Paragraph A above shall not apply to the Standards Committee when undertaking a Formal Determination Hearing^[2].

Notes and definitions

[1] At Assembly meetings the right of reply under paragraphs B to D above does not apply when an Assembly Member introduces a report to the meeting under Standing Order 4.1E above. It only applies in relation to motions and their movers. At committee meetings there is no right of reply before the Chair puts the appropriate procedural motion to the meeting.

[2] The four procedural motions are inappropriate when the Standards Committee acts in a quasi-judicial capacity, and so are disappplied.

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STANDING ORDER 5

MAYOR'S QUESTION TIME

5.1 APPLICATION OF STANDING ORDERS TO MQT

- A. Subject to paragraph B below, this Standing Order 5 applies to that part of a Mayor's Question Time (MQT) meeting during which the Assembly considers the Mayor's MQT Report and puts questions to the Mayor, or to staff required to attend the meeting, in accordance with sections 45(3), 52(3) or 70(5) of the GLA Act 1999.
- B. Standing Order 5 shall not apply to any Non-MQT Business^[1] transacted at a meeting called as a Mayor's Question Time and where the Assembly transacts such business then the Authority's other Standing Orders (as relevant and applicable) shall apply, including Standing Orders 1 to 4 in particular.
- C. Notwithstanding paragraph A above, the Authority's other Standing Orders (as relevant and applicable) will apply to Mayor's Question Time in the same way they apply to other meetings of the Assembly subject to the provisions of such Standing Orders not conflicting with any express provision set out in this Standing Order 5.
- D. Nothing in this Standing Order 5 shall apply to, govern or restrict the exercise by the Assembly or a committee of their powers to invite attendance or to impose a requirement to attend or to produce documents under sections 61 to 65 or 110 of the GLA Act 1999.

Notes and definitions

[1] Often motions are submitted to MQTs, or business that would normally be considered at a plenary meeting is added to the agenda to be dealt with once the time allotted for questioning the Mayor has finished.

5.2 PURPOSE OF MQT MEETINGS

Application: applies to MQT meetings only.

- A. At Mayor's Question Time^[1] the Assembly:
- (1) will consider the written periodic report ("the MQT Report") submitted by the Mayor under s45(1) of the GLA Act 1999;
 - (2) may put oral or written questions to the Mayor about his/her MQT Report and/or any other matter in relation to which statutory functions are exercisable by the Mayor in accordance with s45(3) of the Act and Standing Order 5.5 below;
 - (3) may put questions to any GLA employee who has been required to attend Mayor's Question Time to answer questions from Assembly Members in accordance with sections 52(3)(b)(ii), 70(4) and (5) of the GLA Act 1999 and Standing Order 5.7 below.
- B. Following consultation with relevant Executive Directors, the Chair may decide what other business, if any, is to be transacted at the meeting and the order in which those other items will appear on the published agenda subject (in either case) to:
- (1) any rule of law requiring business to be considered; or
 - (2) the Chief Executive requiring that the published agenda for the meeting is to include a particular item of business, or particular content in a report, following consultation with the Chair, Monitoring Officer and Section 127 Officer.
- C. If in the opinion of the Chair, after consultation with the Executive Director of Secretariat, any question, motion, recommendation in a report or amendment is unlawful or improper or fails to comply with Standing Orders then the Chair may determine that it is out of order and shall not be considered by the meeting and, if necessary, excluded from the printed agenda. The Chair shall contact the Member(s) who submitted the motion, report or amendment as soon as practicable giving reasons for his/her decision.

Notes and definitions

[1] In this Standing Order 5 "MQT" refers to an Assembly meeting (a Mayor's Question Time) held in accordance with s52(3) of the GLA Act 1999.

The Assembly must hold 10 MQTs (no more, no less) in every calendar year. Under s45(3) the Mayor must attend every MQT Meeting and must answer questions put to him at the meeting about matters in relation to which statutory functions are exercisable by him. This includes anything he/she has/could have done under the Authority's principal purposes under s30 of the GLA Act 1999 (the power to do anything that promotes wealth creation, social and environmental improvement) and his/her personal duties under eg the GLA Code of Conduct (eg the duty not to bring the Authority or his office into disrepute). The Mayor's duty to attend, and the content of questions, should be balanced against his right to have his personal and family life respected. Deliberate and unreasonable failure to attend, or to stay or answer questions at MQT Meetings, may trigger a breach of the Code of Conduct, notwithstanding the limit of 6 meetings under s13 having not been reached.

5.3 THE MAYOR'S PERIODIC REPORT

Application: paragraphs A and B apply to MQT Meetings.

- A. The Mayor shall deposit the periodic report required by sections 45(1) and (2) of the GLA Act 1999 ("MQT Report") with the Director of Secretariat not later than 14 calendar days^[1] before the date of the Mayor's Question Time meeting for which it was prepared.
- B. The MQT Report shall contain:
 - (1) the matters the Mayor is required to report under section 45(2) of the GLA Act 1999, being notifications of decisions taken by the Mayor which he/she considers to be of significance, and the reasons for which they were taken;
 - (2) the Mayor's response to any statutory proposal approved by the Assembly in pursuance of section 60(1) of the Act in accordance with section 45(2)(c); and
 - (3) an appendix providing details of those decisions taken since the last MQT report by the Mayor or by others under powers delegated by him/her, where either a mayoral approval form or directorate approval form (or equivalent) has been employed in accordance with the GLA's Governance Framework (as approved from time to time).
- C. Details of decisions referred to in paragraph B(3) above taken during each month during which no Mayor's Question Time is held shall be provided in the same format to the Executive Director of Secretariat not later than ten working days before the end of each such month.

Notes and definitions

[1] This refers to calendar days, not working days, and so the 14 days includes weekends, public and bank holidays. In addition, they are not 'clear' days.

5.4 THE MAYOR'S ORAL UPDATE TO THE MQT REPORT

Application: applies to MQT meetings only.

- A. At the discretion of the Chair, the Mayor may be given the opportunity to provide an oral update of up to 10 minutes in length on matters occurring since the MQT Report was deposited with the Executive Director of Secretariat under Standing Order 5.3A above.
- B. The Chair shall decide when in the meeting the Mayor's update shall be given, and shall afford Members the opportunity to put questions to the Mayor (including supplementary questions) upon the content of his/her update, in accordance with the rules and procedures made under Standing Order 5.10 below, but those supplementaries may only be asked when the appropriate themed questions on the order paper are being discussed (ie a supplementary question on the Mayor's update report must be asked by a Member when the relevant themed question is being discussed, not after the Mayor gives his update).
- C. The Chair may direct that a question deposited under Standing Order 5.6 that asks the Mayor to give an update to his report (or a similar question to like effect) shall not be answered by the Mayor until the point in the meeting when the Mayor gives his oral update in accordance with paragraph B above.

5.5 SCOPE OF QUESTIONS

Application: applies to MQT meetings only.

- A. Questions to the Mayor may relate to any of the following:
- (1) any actions or decisions taken by the Mayor;
 - (2) actions or decisions of members of GLA staff, whether appointed by the Mayor or by the Assembly;
 - (3) any of the statutory functions exercisable by the Mayor;
 - (4) any oral or written statements made by the Mayor in any other forum or context;
 - (5) anything raised by the Mayor in his/her oral update or any decision taken by the Mayor since the deposit of the MQT Report for that meeting; and
 - (6) any matter of importance to Londoners and Greater London.
- B. Any supplementary questions asked by Assembly Members must be relevant to the original question asked.
- C. For the avoidance of doubt, Standing Order 2.14 (Discussion of matters affecting individual members of staff) shall apply to any questions put to the Mayor relating to GLA Staff.

5.6 DEPOSITING QUESTIONS FOR THE MAYOR

Application: applies to MQT meetings only.

- A. Questions to the Mayor will be in writing and shall be notified to the Executive Director of Secretariat by not later than 12.00 noon on the sixth clear working day before the date of the MQT meeting.
- B. Paragraph A above does not apply to questions asked at the meeting concerning the Mayor's Update under Standing Order 5.4 or to supplementary questions.

5.7 SUMMONSING AND QUESTIONING GLA STAFF AT MQT MEETINGS

Application: applies to MQT meetings only.

- A. The following members of GLA staff (only)^[1] may be required under section 70(5) of the GLA Act 1999 to attend MQT meetings in order to answer questions from Assembly Members:
- (1) those holding politically restricted posts who are appointed by the Assembly under section 67(2) of the GLA Act; and
 - (2) those appointed by the Mayor under section 67(1)(b) of that Act, irrespective of whether they hold a politically restricted post.
- B. The Chair, following consultation with the Deputy Chair and the Leaders of the Political Groups, may request the attendance of a member of staff mentioned in paragraph A above. (This shall not prevent the Assembly itself from exercising these powers at any other time.)
- C. Upon a request from the Chair under paragraph B above, the Chief Executive shall give written notice as soon as practicable to the person concerned of the requirement to attend MQT (stating the date, time and location of the MQT meeting), so that it is given not less than 6 clear working days before the meeting, unless the Chair considers it impractical to do so for reasons of urgency which shall be stated in the Chief Executive's notice.
- D. Information indicating in reasonable detail the subject areas about which such members of GLA staff are likely to be asked questions:
- (1) shall be given by Members to the Executive Director of Secretariat by 12.00 noon, not less than 6 clear working days in advance of the meeting; and
 - (2) shall be communicated to the person concerned by the Executive Director so that he/she receives not less than 6 clear working days' notice of the questions;
- unless (in either case) the Chair considers it impractical to do so for reasons of urgency.
- E. For the avoidance of doubt, Standing Order 2.14 (Discussion of Matters affecting individual members of staff) shall also apply when staff are questioned at MQT under this Standing Order 5.7.

Notes and definitions

[1] It is a term in the contract of employment of every politically restricted member of GLA staff (including the 10 the Mayor can appoint under s67(1)(b) but excluding the 2 political advisors he/she may appoint under s67(1)(a)) that they comply with a requirement to attend MQT Meetings and answer any question put by Assembly Members at that meeting – see s70(4) and (5) of the GLA Act 1999. This Standing Order sets out the mechanism for making such a requirement.

5.8 QUESTIONS RULED OUT OF ORDER

Application: applies to MQT meetings only.

- A. The Chair may, if brought to his/her attention, rule out of order any question that does not comply with Standing Order 5.5 or which is improper, unlawful or otherwise places the Authority at significant risk of legal challenge or does not comply with any rules and procedures made under Standing Order 5.10A below, and decide that it shall not be included in the agenda to be despatched for the MQT meeting. The Chair shall inform the member who submitted the question giving his/her reasons.

5.9 MQT MEETING: ORDER OF BUSINESS AND WRITTEN ANSWERS TO QUESTIONS

Application: applies to MQT meetings only.

A. At Mayor's Question Time the first item of business after:

- Chair's announcements;
- apologies for absence;
- declarations of interest; and
- the approval of minutes

shall be the Mayor's MQT Report, then the meeting will proceed to questions to the Mayor or to staff in accordance with this Standing Order 5.9.

B. All questions will be addressed through the Chair, whether they are to the Mayor or a member of staff.

C. Where questions to the Mayor are concerned, the Chair may decide on a different order from that in paragraph A following consultation with the Mayor and the Leaders of the Political Groups prior to the meeting.

D. The Chair will call Members to put questions to the Mayor (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^[1].

E. If it is not practicable for the Mayor or member of staff to answer orally a question on the agenda then he/she shall provide a written answer to the Executive Director of Secretariat before the end of the third working day following the date of the MQT meeting in accordance with the duty to do so under sections 45(4)(b) and 70(6)(b) of the GLA Act 1999.

Notes and definitions

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

5.10 RULES AND PROCEDURES FOR MQT MEETINGS

Application: applies to MQT meetings only.

- A. The Chair of the Assembly may from time to time approve detailed rules and procedures for the conduct of Mayor's Question Time, following consultation with the Mayor^[1], Deputy Chair and the Leaders of the Political Groups.
- B. The procedures may include reference (but are not limited to) the number and scope of questions Members may deposit under Standing Order 5.6, the consolidation of similar questions, the rejection of duplicate questions and, at the meeting, the ordering, themes and number of questions and supplementary questions (including their scope), the time to be allotted to different questions, and how time shall be extended beyond the time limit imposed under Standing Order 2.9 to allow for a question (including supplementaries) to which the Mayor is then responding to be completed.
- C. Rules and procedures approved under paragraph A above are subject to any provision of section 45 of the GLA Act 1999 that regulates or provides for the regulation of the procedure of Mayor's Question Time, and to Chair's duties under Standing Order 5.9E above.

Notes and definitions

[1] Under s36(8) of the GLA Act 1999 Standing Orders may only be varied or revoked after consultation with the Mayor.

STANDING ORDER 6

THE ASSEMBLY BUDGET MEETINGS

6.1 APPLICATION OF STANDING ORDER 6

Application: applies during and in relation to both Assembly Budget Meetings.

- A. Standing Orders 6.2 to 6.17 (inclusive) below only apply in respect of the Draft Budget Meeting and the Final Budget Meeting when the Draft Consolidated and Final Draft Budgets respectively are considered in accordance with section 87 and paragraphs 5 and 8 of Schedule 6 to the GLA Act 1999.
- B. Notwithstanding paragraph A above, the Authority's other Standing Orders (as relevant and applicable) will apply to the Budget Meetings in the same way as they apply to other meetings of the Assembly but subject to any provision of such Standing Orders not conflicting with any express provision set out in this Standing Order 6, and always subject to their addition, variation or suspension under Standing Order 6.6. below.
- C. Standing Order 6.17 below (Formal laying of certain documents before the Assembly) shall govern the deposit with the Assembly of the various documents therein mentioned as required by Schedules 6 and 7 of the GLA Act 1999.
- D. If the Mayor fails to comply respectively with paragraphs 3(4) or 6(6) of Schedule 6, then Standing Order 6.18 below (Procedure where Mayor fails to comply with Schedule 6) shall apply to the Assembly's consideration of the Draft Consolidated Budget prepared by it in accordance with paragraph 4, and to the Consolidated Budget Requirement determined by the Assembly for the Authority in accordance with paragraph 7 of that Schedule.

6.2 INTERPRETATION

Application: applies to Standing Order 6, during and in relation to both Assembly Budget Meetings and to other Standing Orders as appropriate.

A. Unless otherwise indicated or required by the context the following words and terms are as defined below for the purposes of this Standing Order 6 and Standing Orders generally:

- “budget”, depending on the stage of the approval process, means the Draft Consolidated Budget (including the Component Budgets comprised within it) or the Final Draft Budget for the forthcoming financial year, as at the time it is considered;
- “Budget Meeting” means (as relevant) an Assembly Budget Meeting being either the Draft Budget Meeting held under paragraph 6.3 or the Final Budget Meeting held under paragraph 6.4 below, and that part of the meeting when the budget is considered if combined with other business;
- “Budget Related Motion” means a motion submitted in connection with the budget which does not qualify as a Formal Budget Amendment as defined below;
- “Constituent Body” means the Greater London Authority and the four Functional Bodies;
- “Formal Budget Amendment” refers to any proposal formally to amend one or more of the figures in a budget as presented by the Mayor as relates to all or any of the Constituent Bodies and which are required to be calculated in accordance with sections 85(4) to (8) of the GLA Act 1999; and (to avoid doubt):
 - a. all such amendments must be submitted in accordance with Standing Order 6.10 below, in order to be considered as a Formal Budget Amendment; and
 - b. any reference to amending or formally amending a budget is a reference to proposing one or more of those figures in substitution of those presented by the Mayor; and
 - c. neither the Draft Consolidated Budget nor the Final Draft Budget may lawfully be amended otherwise than by a Formal Budget Amendment proposing such figures in substitution of those contained in the Mayor’s budget;
- “public meeting” means a meeting of the Assembly throughout which members of the public are entitled to be present^[1];
- “requisite majority” means:
 - a. amendments to the Draft Consolidated Budget: in the case of a Formal Budget Amendment to the Draft Consolidated Budget, a simple majority

of votes cast by Assembly Members present in favour of the amendment;

b. amendments to the Final Draft Budget: in the case of a Formal Budget Amendment to the Final Draft Budget, a vote of not less than two-thirds of Assembly Members present and voting in favour of the amendment;

- “Schedule 6” refers to Schedule 6 to the GLA Act 1999;
- “Substantive Motion” means (as appropriate) the motions referred to in paragraphs 8.3 and 9.4 below.

Notes and definitions

[1] If the Assembly went into private or confidential session at any point, it would then cease to be a public meeting for the purposes of Schedule 6 at which it could lawfully consider, amend or approve either the Draft Consolidated Budget or Final Draft Budget.

6.3 THE ASSEMBLY DRAFT BUDGET MEETING

Application: applies to the Draft Budget Meeting only.

- A. The Draft Consolidated Budget prepared under paragraph 3 of Schedule 6 shall be presented by the Mayor in accordance with Standing Order 6.5 below, on or before the 1st day of February each year^[1].
- B. As soon as reasonable thereafter, the Assembly shall hold a public meeting (“the Draft Budget Meeting”) designated for the purpose of considering and approving that budget (with or without amendment).
- C. The date of the Draft Budget Meeting shall be that identified in the Annual Programme, or (if different) such other date as the Chair of the Assembly decides is appropriate. Before determining the date of the meeting the Chair shall consult the Mayor and Leaders of the Political Groups. Business at the Draft Budget Meeting may be combined with other business, including a Mayor’s Question Time.
- D. Before the Assembly considers the Draft Consolidated Budget the Chair of the Assembly shall invite the Mayor to introduce and explain it to the meeting^[2].
- E. The meeting may agree to put questions to the Mayor concerning the budget. The period allowed for such questions shall be such as the Chair considers appropriate (following consultation with the Mayor and the Leaders of the Political Groups).

Notes and definitions

[1] This date is set out in paragraph 3(4) of Schedule 6.

[2] The normal rule for speeches under Standing Order 4.2E applies, limiting the Mayor’s speech to 10 minutes.

6.4 THE ASSEMBLY FINAL BUDGET MEETING

Application: applies to the Final Budget Meeting only.

- A. On the last day on or before the end of February each year the Assembly shall hold a public meeting (the “Final Budget Meeting”) designated for the purpose of considering and approving (with or without amendment) the Mayor’s Final Draft Budget prepared under paragraph 6 of Schedule 6^[1].
- B. The date of the Final Budget Meeting shall be that identified in the Annual Programme, or (if different) such other date as the Chair of the Assembly decides is appropriate. Before determining the date of the meeting the Chair shall consult the Mayor and the Leaders of the Political Groups. Business at the Final Budget Meeting may be combined with other business, including a Mayor’s Question Time.
- C. Before the Assembly considers the Final Draft Budget the Chair of the Assembly shall invite the Mayor to introduce and explain it to the meeting^[2].
- D. The meeting may agree to put questions to the Mayor concerning the budget. The period allowed for such questions shall be such as the Chair considers appropriate^[2] (following consultation with the Mayor and Leaders of the Political Groups.)

Notes and definitions

[1] The end of February is specified in paragraph 8(7) of Schedule 6.

[2] The normal rule for speeches under Standing Order 4.2E applies, limiting the Mayor’s speeches to 10 minutes.

6.5 PROCEDURE FOR DEPOSITING BUDGET DOCUMENTS, AMENDMENTS AND BUDGET RELATED MOTIONS

Application: applies in relation to both Assembly Budget Meetings.

- A. The Mayor shall deposit with the Executive Director of Secretariat a copy of the Draft Consolidated Budget or the Final Draft Budget and accompanying reports (if any) for the purposes of its being despatched to Assembly Members for their consideration at a public meeting of the Assembly^[1] (the Budget Meetings).
- B. In order to comply with section 100B(3) of the Local Government Act 1972^[2] the budget and any accompanying report must be available for inspection by the public for at least 5 clear working days before the date of the Budget Meeting.
- C. The Mayor may amend any item in the deposited budget and/or accompanying report up and until the point when the Chair opens the Budget Meeting. Any such amendments shall be made following consultation with the Chair as to the presentation of the amended documents to the Assembly and by depositing the relevant revised documentation with the Executive Director of Secretariat, who shall arrange for it to be made available to Assembly Members, the press and public as soon as practicable in advance of the Budget Meeting^[3].
- D. The Mayor may only make amendments after the meeting opens with the approval of the Assembly.

Notes and definitions

[1] The public meetings are required by paragraphs 3(3) and 6(4) of Schedule 6.

[2] Sections 100A to 100K of the Local Government Act 1972 are applied to the Assembly by s58 of the GLA Act 1999. See the notes to Standing Order 1.10 (Considering urgent items and adding urgent business) for the definition of working and clear days.

(3) This provision does allow the Mayor to amend his/her previously published (for the purposes of the Assembly Budget Meetings) draft and final draft Budget documents at any point up until the point when the Chair opens the relevant Budget Meeting. In this event the Chair may have to adjourn the meeting in order to allow the Political Groups to consider their response and any consequential revisions to prepared Budget Related Amendments and Budget Related Motions.

6.6 VARIATION/SUSPENSION OF STANDING ORDERS DURING BUDGET MEETINGS

Application: applies to both Assembly Budget Meetings.

A. The following provisions of Standing Orders are automatically suspended:

(1) in Standing Order 2 (Requirements for Holding Meetings):

| <i>Provision</i> | <i>Extent and effect of suspension</i> |
|---|---|
| 2.6 paragraph C only Voting to be by show of hands | Suspended in respect of votes taken on Formal Budget Amendments to the Final Draft Budget only. (Such votes are to be by named, alphabetical vote in accordance with paragraph D(1) below) |
| 2.6 paragraph D only Individual votes on separate elements | Suspended in respect of votes taken on Formal Budget Amendments at either of the Assembly Budget Meetings (Individual votes on the separate elements comprising a Formal Budget Amendment not to be allowed – see paragraph D(2) and (3) below) |

(2) in Standing Order 3 (General Rules for Motions, Reports, Amendments and Petitions):

| <i>Provision</i> | <i>Extent and effect of suspension</i> |
|---|--|
| 3.4 (in whole) Submitting motions and amendments | Suspended for Formal Budget Amendments, which are to comply with the requirements of SO 6.10 instead |
| 3.4 paragraph F only Previously rejected motions/amendments to bear 7 signatures etc | Suspended for Budget Related Motions |
| 3.5 paragraphs A and B only Scope of amendments | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.6 (in whole) Alteration and withdrawal of motion/amendments | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.8 (in whole) Order of debating amendments | Suspended for Formal Budget Amendments and Budget Related Motions |

| | |
|--|---|
| 3.9 (in whole) Bar on consecutive amendments with same effect | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.10 (in whole) Effect of successful amendment | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.12 paragraph D only Assembly to consent to considering urgent motions | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.13 (in whole) Referral of motions within a committee's remit | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.16 (in whole) Reversal of previous meetings' decisions and motions | Suspended for Formal Budget Amendments and Budget Related Motions |
| 4.2 (in part) Length of speeches | Suspended for formal budget amendments (see SO 6.6D) |

- B. The Assembly's other Standing Orders (as relevant) shall apply (added to, amended or suspended as set out in this Standing Order 6.6 paragraphs C to E below) during the Budget Meeting (or that part of the Budget Meeting) when the Assembly considers either the Draft Consolidated or Final Draft Budgets in accordance with paragraphs 3 and 6 of Schedule 6 to the GLA Act.
- C. Standing Order 4.3 shall apply, varied as necessary:
- (1) to allow Formal Budget Amendments and Budget Related Motions as required by this Standing Order to be moved in addition to those listed in paragraphs (1) to (10) of that Standing Order; and
 - (2) to allow Members proposing Formal Budget Amendments (only) to speak for up to 10 minutes.
- D. At the beginning of each debate the Chair may determine that speeches are shorter or, exceptionally, that they may be longer. The Chair shall state the length of speeches and the reasons for his/her decision.
- E. Standing Order 2.6 (voting) shall apply to voting on Formal Budget Amendments, added to and varied as follows:
- (1) where a vote is taken on a Formal Budget Amendment to the Final Draft Budget (only) the method of voting shall be by named vote, with the Chair asking each member present in turn, in alphabetical order of name, to declare how they wish to cast their vote (for or against) or whether they wish to abstain^[1];

- (2) not to permit separate votes to be taken on the value of the individual aggregates/amounts required to be calculated by sections 85(4) to (8) of the GLA Act 1999 (ie the figures referred to in the Schedule to the Formal Budget Amendment Report); or
- (3) not to permit separate votes to be taken on the separate elements comprising a Formal Budget Amendment (whether moved as a motion or on recommendations in a report (ie recommendations nos. 1 to 3 in Part B of the Formal Budget Amendment Report) concerning the amendment of the figures referred to in paragraph 6.6E(2) above, the amount of each Constituent Bodies' component budget requirement, and the Authority's consolidated budget requirement^[2];
- (4) where a Budget Related Motion comprises two or more separate elements, separate votes may be taken on those elements if any Assembly Member so requests^[3].

Notes and definitions

[1] A named vote by alphabetical order only applies at the Final Budget Meeting (not the Draft Budget Meeting) to votes on Formal Budget Amendments. A show of hands applies to all votes at the Draft Budget Meeting and, at the Final Budget Meeting, to votes on the Substantive Motion, Budget Related Motions and any procedural motions raised from the floor.

[2] Ie Separate votes cannot be taken on each of the individual figures making up a Constituent Body's component budget, nor on one particular Constituent Body's budget requirement, but rather they are all voted on *en bloc*.

[3] Ie Separate votes can be taken on those Budget Related Motions that do not formally amend the budget figures as set out in s85, GLA Act.

General Note: To clarify, if the Assembly transacts Non-Budget Business at a meeting called as a Budget Meeting (eg by combining it with Mayor's Question Time or having Non-Budget items or motions on the agenda) then the Authority's other Standing Orders shall govern the transaction of that Non-Budget Business in the normal way.

6.7 CONSIDERATION OF THE DRAFT CONSOLIDATED BUDGET

Application: applies to the Draft Budget Meeting only.

- A. The Assembly is under a duty to approve the Draft Consolidated Budget (together with the draft component budgets comprised within it) with or without amendment^[1].
- B. If the Assembly has finished its consideration of the Draft Consolidated Budget, but has not by then expressly approved it (either with or without amendment) then the Assembly's approval of that budget will be deemed to have been given, without any amendment having been made, by paragraph 5(5) of Schedule 6.
- C. When it considers the Draft Consolidated Budget the Substantive Motion before the Assembly, set out in the agenda, shall be as follows^[2]:

"To approve the Draft Consolidated Budget for [Financial Year], together with the draft component budgets comprised within it, without amendment."

If the substantive motion is not approved, then paragraph B above applies.

- D. The Substantive Motion may be amended by a Formal Budget Amendment in accordance with procedures described in Standing Orders 6.12 and 6.15 to 6.18 below (as appropriate), with the effect that (if so amended) the Draft Consolidated Budget (together with the draft component budgets comprised within it) is amended in accordance with such Formal Budget Amendment (if any) as prevails in accordance with those procedures. If not expressly approved by the Assembly^[3], the Substantive Motion shall fall at the conclusion of its consideration of the budget although, by paragraph 5(5) of Schedule 6, the Draft Consolidated Budget shall then be deemed to be approved without amendment.
- E. If a Formal Budget Amendment is carried by the requisite majority then the Substantive Motion shall fall and the Assembly will be asked to approve the amended Draft Consolidated Budget.

Notes and definitions

[1] Under paragraph 3(4) of Schedule 6 the Assembly is under a duty to approve the Draft Consolidated Budget, with or without amendment. If the Assembly does not approve the Draft Consolidated Budget within a reasonable time of it being laid, the Mayor can lay the statement referred to in paragraph 6(2)(a) of Schedule 6, and the Assembly's approval of that budget (without amendment) is then deemed to have been given under paragraph 6(2)(b) of that Schedule.

[2] The Substantive Motion provides a starting point for the Assembly's consideration of the budget.

[3] By being carried by a simple majority of votes cast in its favour.

6.8 CONSIDERATION OF THE FINAL DRAFT BUDGET

Application: applies to the Final Budget Meeting only.

- A. The Assembly is under a duty to approve the Final Draft Budget (with or without amendment) before the last day of February^[1].
- B. Subject to the next paragraph, if the Assembly has finished its consideration of the Final Draft Budget but has not by then expressly approved it (either with or without amendment) then the Assembly's approval of that budget will be deemed to have been given, without any amendment having been made, by paragraph 8(5) of Schedule 6.
- C. If by the last day of February the Assembly has not finished its consideration of the Final Draft Budget then on that day the Final Draft Budget shall become the Authority's Consolidated Budget for the forthcoming financial year in accordance with paragraph 9 of Schedule 6.
- D. When it considers the Final Draft Budget the Substantive Motion before the Assembly, set out in the agenda, shall be as follows^[2]:

"To approve the Final Draft Budget for [Financial Year] without amendment."

- E. The Substantive Motion may be amended by a Formal Budget Amendment in accordance with the procedures described in Standing Orders 6.12 and 6.15 to 6.18 below (as appropriate), with the effect that (if so amended) the Final Draft Budget is amended in accordance with such Formal Budget Amendment (if any) as prevails in accordance with those procedures. If not expressly approved by the Assembly^[3], the Substantive Motion shall fall at the conclusion of its consideration of the budget although, by paragraph 8(5) of Schedule 6, the Final Draft Budget shall then be approved without amendment.
- F. If a Formal Budget Amendment is carried by the requisite majority then the Substantive Motion shall fall and the Assembly will be asked to approve the Final Draft Budget as amended.

Notes and definitions

[1] This duty is imposed by paragraphs 8(3) and (7) and paragraph 9 of Schedule 6.

[2] This provides a starting point for the Assembly's consideration of the budget.

[3] By being carried by a simple majority of votes cast in its favour.

6.9 PRESUMPTION AT END OF FINAL BUDGET MEETING

Application: applies to the Final Budget Meeting only.

- A. If the Assembly has not decided, on a vote^[1], to continue its consideration of the Final Draft Budget, then at the end of the Final Budget Meeting the Assembly will be taken to have concluded its consideration of the budget for the purposes of Schedule 6^[2].

Notes and definitions

[1] Carried by a simple majority vote in favour of the motion.

[2] At this point the default provisions in paragraph 8(5) of Schedule 6 apply. This states that once the Assembly has finished considering the Final Draft Budget, that budget is deemed to have been approved without amendment unless the Assembly has actually amended the budget by the requisite majority.

6.10 FORMAT OF FORMAL BUDGET AMENDMENTS AND BUDGET RELATED MOTIONS

Application: applies in relation to both Assembly Budget Meetings.

- A. Paragraphs 6.10B to 6.10K below apply to any proposal to amend either the Draft Consolidated Budget (and any of the component budgets comprised within it) and the Final Draft Budget.
- B. For the purposes of Standing Order 6 all proposals before the Budget Meeting relating to the budget (howsoever raised) shall be classed as either a Formal Budget Amendment or a Budget Related Motion, as follows:

- (1) *Formal Budget Amendment:* this is a proposal that (if passed by the requisite majority) would formally and legally amend the budget (known as a “Formal Budget Amendment”) and may only be raised by way of a motion or recommendations in a report complying with paragraphs E to K below and shall be treated as such for the purposes of Standing Order 6.

- (2) *Budget Related Motion:* this is a proposal moved in connection with the budget (whether raised by way of motion or the recommendations contained in a report) that either:

- a. does not purport to amend the budget; or

- b. seeks to do so, but which is defective in terms of the requirements of a Formal Budget Amendment under this Standing Order

which shall be classed as a “Budget Related Motion” and treated as such for the purposes of this Standing Order 6.

(To clarify, a recommendation/recommendations in a Formal Budget Amendment Report that does not comply with E below is to be treated as a Budget Related Motion.)

- C. The Chair’s ruling, following advice from the proper officer at the meeting, on the classification of any proposal as either a Formal Budget Amendment or a Budget Related Motion shall be conclusive for the purposes of the procedure at the meeting.

- D. The Assembly may only consider a Formal Budget Amendment if it has been proposed and seconded and complies with the following requirements:

- (1) it must take the form of either:

- a. a motion; or

- b. a report to the Assembly, that complies with paragraphs (E) to (J) below; and

- (2) it must be from individual Assembly Members or from a Political Group and (in either case) it must state the names of the Members proposing and seconding it.

Motions

- E. If a motion is used formally to amend the budget then it must include text that clearly and unambiguously states the following “budget figures”:
 - (1) the value of each of the aggregates/amounts for each of the Constituent Bodies required to be calculated under sections 85(4) to (8) of the GLA Act 1999^[1] and how these shall amend those figures proposed by the Mayor in his/her budget; and
 - (2) the amount of each Constituent Body’s component budget requirement, and the Authority’s Consolidated Budget requirement, arising from those calculations and how these shall amend the requirements proposed by the Mayor.
- F. The document putting forward the motion must also clearly differentiate between its explanatory/supporting text and the Formal Budget Amendment, and between the latter and any other motions (Budget Related Motions) proposed^[2].

Formal Budget Amendment Reports

- G. If a report is used formally to amend the budget, then it shall be as set out in a “Formal Budget Amendment Report”, or be in such other form as the Section 127 Officer and Monitoring Officer in consultation with the Executive Director of Secretariat approve from time to time:
 - (1) any explanatory/ supporting text shall be set out in Part A of the report; Part B of the report shall contain the Formal Budget Amendments as recommendations numbers 1 to 3;
 - (2) any Budget Related Motions shall be set out in Part B of the report, as recommendation number 4 onwards;
 - (3) the Schedule to the report shall contain the following “budget values”: that is, the value of each of the aggregates/amounts for each of the Constituent Bodies required to be calculated under sections 85(4) to (8) of the GLA Act 1999 and how these shall amend those figures proposed by the Mayor in his/her budget, the amount of each Constituent Body's component budget requirement, and the Authority’s consolidated budget requirement, arising from those calculations and how these shall amend the requirements proposed by the Mayor.
- H. If no formal amendment to the budget is proposed, then the report (if used) may omit recommendations nos. 1 to 3 in Part B and the Schedule entirely, but if so it shall be treated as a Budget Related Motion.

Format of subsequent Amendments if a Formal Budget Amendment is carried

- I. If two or more Formal Budget Amendments are moved under Standing Order 6.18 below, once the first such amendment has been carried by a requisite majority, or any

have been subsequently carried, then the budget figures in such other Formal Budget Amendments as have been moved by that point (ie the point at which the first or subsequent Formal Budget Amendment is carried by a requisite majority) shall be taken to refer to (and seek to amend) those figures as stated in that first or latest carried amendment, notwithstanding that they will in fact refer to the Mayor's budget figures in the text.

- J. Formal Budget Amendments shall refer to (and seek to amend) the budget figures in the last such Budget Amendment as was carried by the requisite majority before the point it is moved.

Bar on amendments or motions negating or reversing earlier carried motions and amendments

- K. No Formal Budget Amendment or Budget Related Motion may be moved if its effect (if approved) would be solely to negative, or solely to reverse, any previously approved Substantive Motion, Formal Budget Amendment or Budget Related Motion.

Notes and definitions

[1] Ie as referred to in the Schedule to the Formal Budget Amendment Report.

[2] Eg concerning matters the Assembly wishes to formally observe/note concerning the budget or approval process, matters of importance to Greater London, or even the making by the Assembly of formal proposals to the Mayor under s60(1) of the GLA Act 1999.

6.11 THRESHOLD FOR CARRYING FORMAL BUDGET AMENDMENTS ETC

Application: applies to both Assembly Budget Meetings.

- A. Amendments to the Draft Consolidated Budget shall require a simple majority of Members voting in favour of the Formal Budget Amendment to carry and amend the Draft Consolidated Budget^[1].
- B. Amendments to the Final Draft Budget shall require a two-thirds majority of Members voting in favour of the Formal Budget Amendment to carry and amend the Final Draft Budget^[2].
- C. The Draft Consolidated Budget and Final Draft Budget (as appropriate) may be approved without amendment by a simple majority of Members voting in favour of the Substantive Motion^[3].
- D. Unless otherwise provided for, all other questions or matters falling to be decided by the Assembly during the Budget Meeting (including a Budget Related Motion) shall be decided by a simple majority^[1].

Notes and definitions

[1] The normal rules of a simple majority of votes cast under s53(1) of the GLA Act 1999 apply.

[2] As required by 8(4) of Schedule 6. Abstentions do not count as a vote against, and so are excluded from the calculation of the two-thirds majority.

[3] ie as referred to in the Schedule to the Formal Budget Amendment Report.

6.12 GENERAL RULES FOR THE TRANSACTION OF BUSINESS AT THE BUDGET MEETING

Application: applies in relation to both Assembly Budget Meetings.

- A. The Substantive Motion, Formal Budget Amendments and Budget Related Motions shall be considered, moved, debated and voted upon in accordance with the rules and principles set out in paragraphs 6.12 B to N below.
- B. The Substantive Motion shall be set out on the agenda for the Budget Meeting and shall be considered without being proposed or seconded by any Member. It shall be put to the vote if no Formal Budget Amendment is carried by a requisite majority.
- C. Formal Budget Amendments shall be moved before Budget Related Motions are moved.
- D. Where a Budget Related Motion is tabled as part of a report or motion also containing a Formal Budget Amendment then it shall be deemed to have been moved at the same time (and in the same order) as that Formal Budget Amendment and in accordance with paragraph E below.
- E. As between themselves, Formal Budget Amendments will be moved in order of the one proposing the greatest reduction to the Consolidated Budget requirement (as proposed by the Mayor) being taken first, with the amendment proposing the smallest reduction (or greatest increase, as the case may be) being moved last. The Chair shall decide the order following consultation with the Executive Director of Finance and Performance; if of equal aggregate effect, the Chair shall draw lots to determine the order.
- F. The Assembly shall debate the Substantive Motion, Formal Budget Amendments and Budget Related Motions at the same time in accordance with Standing Order 4 (as amended for the Budget Meeting by Standing Order 6.6 above).
- G. Voting shall take place in the following order:
 - (1) Formal Budget Amendments first, in the order they were moved (for clarification, the vote on a Budget Related Motion tabled as part of a report or motion containing a Formal Budget Amendment shall be taken under paragraph (3) below);
 - (2) if, following the approval of a Formal Budget Amendment, any further such Amendments are proposed and seconded, then the Assembly shall vote on those Amendments before voting on the Substantive Motion;
 - (3) then such Budget Related Motions as by then have been tabled (including any of those mentioned in paragraph (1) above) in the order that they were moved (NB this has the result that a Budget Related Motion mentioned in paragraph (1) above will be voted upon before any other separately tabled Budget Related Motion, which will have been moved later);
 - (4) then, last, the Substantive Motion, but only if no Formal Budget Amendment had earlier been approved.

- H. A new Formal Budget Amendment or a new Budget Related Motion may be moved from the floor at any time (but subject to Standing Order 6.10J above) unless another is under debate or is being voted upon, when it may only be moved after that debate or vote has finished.
- I. There is no restriction on the number of times that the same Assembly Members may move (propose and/or second) different Formal Budget Amendments or Budget Related Motions.
- J. Once moved, a Formal Budget Amendment or Budget Related Motion may only subsequently be amended if its proposer and seconder consent to accept the amendment (the Assembly's consent to them doing so is not required). No such amendment may be accepted once voting on the amendment or motion has started.
- K. No motion of any sort may be moved which purports to amend any other Formal Budget Amendment or Budget Related Motion unless it is a Formal Budget Amendment referred to in paragraphs I or J of Standing Order 6.10.
- L. The proposer of a Formal Budget Amendment or Budget Related motion may withdraw them if both his or her seconder and the meeting (signified without discussion) give permission to do so. Once the proposer has received permission for its withdrawal no Member may speak upon it and it is deemed to have been withdrawn.
- M. The principle that the latest decision in time of the Assembly shall prevail applies, with the result that (as the case may be) the later approval of a Formal Budget Amendment in accordance with this Standing Order 6 shall prevail over an earlier approval of the Substantive Motion or of any Formal Budget Amendment or Budget Related Motion, which shall then fall as a result.
- N. The later approval of a Budget Related Motion shall not prevail over any earlier approved Substantive Motion or Formal Budget Amendment but (as between it and any other earlier approved Budget Related Motions) it shall prevail to the extent that it negatives or is inconsistent with those earlier motion(s).
- O. Before putting the substantive motion to the vote and bringing the meeting to a close, the Chair shall ask if any further Formal Budget Amendments or other Budget Related Motions are to be moved. If not, then the following special procedural motion may be moved:

"That the Assembly votes on each Constituent Body's component budget requirement (as amended)."^[1]

End of meeting

- P. Finally, the Chair shall announce the effect of the proceedings on the budget, and whether:
 - (1) the Assembly has amended the budget; or
 - (2) if not, whether the budget has been approved, either by an express vote by the Assembly to that effect or by operation of law under Schedule 6 to the GLA Act.

- Q. The Chair shall then announce that the Assembly has finished its formal consideration of the budget and the meeting shall end (or, if combined with other business on the agenda, the Assembly's formal consideration of the budget shall end) for the purposes of Schedule 6.

Notes and definitions

[1] Note that if, during the voting on the individual components of the budget, any specific vote secures a majority, this does not amount to a Budget Amendment. Only Formal Budget Amendments secured by a two-thirds majority have the effect of amending the budget.

6.13 ADJOURNMENTS

Application: applies to both Assembly Budget Meetings.

- A. The Assembly (by a motion proposed, seconded and voted upon without debate) or the Chair (without a vote) may adjourn the Budget Meeting at any point in the proceedings for such period as the Assembly or Chair (as the case may be) considers appropriate in the circumstances, but in so doing must not frustrate the statutory duty of the Assembly.
- B. Whenever the Budget Meeting adjourns, the Chair or Assembly will announce the time or date when the meeting will resume. Unless the contrary is stated or resolved, the Assembly will be taken not to have concluded its consideration of the budget, which will continue when the meeting reconvenes.
- C. There are no limits on the number of adjournments the Assembly may agree.

Notes and definitions

General: This is to prevent there being any doubt that the Assembly has finished its consideration of the budget, thereby inadvertently triggering the default provisions in paragraphs 5(5), 8(5) or 9 of Schedule 6 which deem the Assembly's approval of the budget without amendment.

6.14 INQUORACY DURING THE BUDGET MEETING

Application: applies to both Assembly Budget Meetings.

- A. If at any point after it has commenced the Budget Meeting becomes inquorate, then the meeting shall automatically stand adjourned for a period of up to 15 minutes from the point the inquoracy is drawn to the Chair's attention. The Chair shall at that point declare that the meeting is inquorate and is adjourned for that 15 minute period.
- B. If within that 15 minute period a quorum is present, then the Budget Meeting shall resume; if a quorum is not present after that 15 minutes has expired, then the Budget Meeting shall not end but shall then stand adjourned. Unless the contrary has been resolved prior to that point, the Assembly will not be taken to have concluded its consideration of the budget, which will continue when the meeting reconvenes. The Chair shall determine the date and time when the meeting is to resume, following consultation with the Mayor and the Leaders of the Political Groups, which shall be communicated to Assembly Members and the Mayor by the Executive Director of Secretariat.
- C. If, following an adjournment, the Assembly, committee or subcommittee is to reconvene at a stated time but the meeting remains inquorate at that stated time, paragraph B above does not apply and the meeting will end.

6.15 PROCEDURE WHERE NO FORMAL BUDGET AMENDMENTS ARE MOVED

Application: applies to both Assembly Budget Meetings.

- A. If no Formal Budget Amendment has been moved, once the Assembly has concluded its debate in accordance with Standing Order 4 (as amended for the Budget Meeting), the Chair shall put the appropriate Substantive Motion to the vote, as follows:

“To approve the Draft Consolidated Budget, together with the Component Budgets comprised within it, without amendment”

or

“To approve the Final Draft Budget without amendment.”

6.16 PROCEDURE WHERE FORMAL BUDGET AMENDMENTS ARE MOVED

Application: applies to both Assembly Budget Meetings.

- A. Where a Formal Budget Amendment has been moved, and once the proposer, seconder and others have made their speeches and the Assembly has concluded its debate in accordance with Standing Order 4 (as amended for the Budget Meeting), the Chair shall put it to the vote in accordance with this Standing Order 6.16.
- B. If it attracts a requisite majority of votes cast in its favour then that Formal Budget Amendment shall carry and thereby amend the budget in accordance with Standing Orders 6.7D (Draft Consolidated Budget) and 6.8E (Final Draft Budget).
- C. If no budget amendment(s) are carried, the Chair shall put the appropriate Substantive Motion to the vote, as set out in Standing Order 6.15A above.

6.17 FORMAL LAYING OF CERTAIN DOCUMENTS BEFORE THE ASSEMBLY

Application: paragraphs A(1) to (3) apply in relation to the Draft and Final Budget Meetings as appropriate, and paragraph (4) in the circumstances set out in Schedule 7 of the GLA Act 1999.

- A. The following documents shall be laid before the Assembly for the purposes of Schedules 6 and 7 to the GLA Act 1999 by being deposited with the Executive Director of Secretariat:
- (1) the Mayor's statement that he/she is proceeding by virtue of paragraph 6(2)(a) of Schedule 6;
 - (2) the Mayor's statement of reasons as to why the Final Draft Budget under paragraph 6(5) of Schedule 6 is different from the amendments the Assembly had approved at the earlier Draft Budget Meeting^[1];
 - (3) the Mayor's statement that he/she is proceeding by virtue of paragraph 5(2)(a) of Schedule 7^[2];
 - (4) the Mayor's statement of reasons as to why the final draft substitute calculations under paragraph 5(5) of Schedule 7 is different from the amendments the Assembly had approved at the earlier First Draft stage^[3].
- B. As soon as practicable after receiving the document, the Executive Director of Secretariat shall send copies to every Assembly Member. A report concerning the formal laying of the document shall be considered at the next Assembly meeting after the document is laid.

Notes and definitions

[1] Paragraph 6(5) of Schedule 6 requires the Mayor to lay a paragraph 6(5) statement before the Assembly in accordance with the Authority's Standing Orders.

[2] Paragraph 5(2)(a) of Schedule 6 requires the Mayor to lay a paragraph 5(2)(a) statement before the Assembly in accordance with the Authority's Standing Orders.

[3] Paragraph 5(2) of Schedule 7 requires the Mayor to lay a paragraph 5(2)(a) statement before the Assembly in accordance with the Authority's Standing Orders.

6.18 PROCEDURE WHERE MAYOR FAILS TO COMPLY WITH SCHEDULE 6

Application: applies in the circumstances set out in Schedule 6 of the GLA Act 1999 to either of the Draft and Final Budget Meetings, as appropriate.

- A. If on 2nd February the Mayor has failed to present a Draft Consolidated Budget or otherwise to comply with paragraph 3(4) of Schedule 6, then the Chair of the Assembly shall call a meeting of the Assembly as soon as practicable in order for it to decide how it shall proceed under paragraph 4 of Schedule 6 so as to prepare a draft component budget for each of the Constituent Bodies and a Draft Consolidated Budget.
- B. If on the last day of February the Mayor has failed to present a Final Draft Budget or otherwise to comply with paragraph 6(6) of Schedule 6, then the Chair of the Assembly shall call a public meeting of the Assembly as soon as practicable in order to determine the Authority's Consolidated Budget requirement in accordance with paragraph 7 of Schedule 6.

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STANDING ORDER 7

THE STATE OF LONDON DEBATE AND PEOPLE'S QUESTION TIMES

7.1 THE STATE OF LONDON DEBATE

Application: applies to the State of London Debate only.

- A. Once in every financial year the Mayor must hold a meeting that is open to the public called the “State of London Debate” (“the Debate”)^[1].
- B. The Mayor shall approve the form of the Debate and its procedures^[2]. These procedures must give members of the public an opportunity to speak. The Mayor must consult the Assembly before approving the form of the Debate and its procedures.
- C. Members of the public who attend or speak at the Debate do so subject to, and in accordance with, those procedures^[3].
- D. The Mayor shall decide the date of the Debate providing that it is held:
 - (1) in the months of April, May or June; and
 - (2) that date is at least 7 days after the date the Mayor’s Annual Report (relating to the financial year last ended) is published under section 46 of the GLA Act.
- E. The Mayor must determine the place at which the meeting is to be held and give at least one month’s notice of the date and place of the meeting to members of the public^[4].
- F. The Mayor may appoint any person to preside at the Debate, whether or not that person has a connection with the GLA, following consultation with the Assembly^[5].

Notes and definitions

[1] The State of London Debate is not a meeting of the Assembly and the rules under the GLA Act and other relevant legislation concerning Assembly meetings, access to information etc do not apply to the Debate. It is a meeting required under s47 of the GLA Act 1999.

[2] The Mayor has the power to approve procedures for the Debate under s47(2), which can include provisions to control disorderly conduct etc.

[3] This is provided for in s47(5).

[4] This is required by s47(7).

[5] As required by ss47(2) to (4). The Assembly must be consulted about the identity of the person to be appointed to chair the debate and the form it is to take.

7.2 PEOPLE'S QUESTION TIMES

Application: applies to the two People's Question Time meetings only.

- A. Twice in every financial year, the Mayor and the Assembly must hold and attend a meeting that will be open to all members of the public, which may be called " People's Question Time" ("PQT")^[1].
- B. The Mayor shall approve the form of the PQT and its procedures, following consultation with the Assembly^[2].
- C. Members of the public who attend or speak at PQT do so subject to, and in accordance with, those procedures.
- D. The Mayor decides the date of PQT meetings, following consultation with the Assembly, the date of which must not be less than one month before or one month after the date of the State of London Debate.
- E. The Mayor must determine the place at which the PQT meeting is to be held, and give at least one month's notice of the date and place of the meetings to members of the public.
- F. The Mayor may appoint any person to preside at the PQT meeting, whether or not that person has a connection with the Greater London Authority, following consultation with the Assembly^[3].

Notes and definitions

[1] Section 48 of the GLA Act 1999 sets out the requirements for the People's Question Times (PQTs). The two PQT meetings are not meetings of the Assembly, and the rules under the GLA Act and other relevant legislation concerning Assembly meetings, access to information etc do not apply to them.

[2] The Mayor has the power to approve procedures for PQT meetings, which can include provisions to control disorderly conduct etc – see s48(3).

[3] The Assembly must be consulted about the identity of the person to be appointed to chair each particular meeting and the form it is to take – see ss48(2) to (5) of the GLA Act 1999.

STANDING ORDER 8

COMMITTEES AND SUBCOMMITTEES

8.1 ESTABLISHMENT OF COMMITTEES AND SUBCOMMITTEES

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

- A. The Assembly may establish committees (either ordinary or advisory).
- B. With the exception of the Standards Committee and the Staffing Committee, committees may establish subcommittees, but only with the prior approval of the Assembly or the business management committee.
- C. The Standards Committee may establish subcommittees for the purposes of local determinations without the approval of the Assembly or the business management committee.
- D. The Staffing Committee may establish subcommittees for the purposes of senior staff appointments without the approval of the Assembly.
- E. Whenever a committee or subcommittee is established, the following matters shall be identified and decided by the body that establishes it:
 - (1) in relation to a committee, other than the Standards Committee, the number of seats and the identity of those who will sit on it^[1] (or the mechanism by which they shall be appointed by the Political Groups) in accordance with Standing Order 8.3 below (Political Balance);
 - (2) in the case of the Standards Committee^[2], the number and identity of the Independent Members of Standards Committee in accordance with Standing Order 11.2;
 - (3) the identity of the Chair and (if any) Deputy Chair or whether the committee/subcommittee is to appoint them; and
 - (4) except for the Standards Committee^[3], its terms of reference.
- F. Unless otherwise decided when established:
 - (1) all committees and subcommittees shall be presumed to be “ordinary” committees or subcommittees for the purposes of section 55(1) of the GLA Act 1999, except for the Standards Committee; and
 - (2) their duration and the term of appointment of their members shall be for one year or until the start of the next Annual Meeting (whichever is the sooner), when they must be re-established and re-appointed if they are to continue.

- G. A member of a subcommittee (other than a subcommittee of the Standards Committee, where the opposite requirement applies) need not be a member of its parent committee.
- H. If a casual vacancy arises the Assembly (only) shall approve arrangements for filling the vacancy at its next meeting (which may include authorising the business management committee^[4] to do so). This rule also applies to vacancies in the Assembly Members appointed to the Standards Committee, but not to vacancies in the Independent Standards Members on that Committee, which are dealt with under Standing Order 11.2A below.
- I. With the Assembly's prior approval, an advisory committee or advisory subcommittee may include or consist wholly of persons who are not Assembly Members^[1].

Notes and definitions

[1] An ordinary committee or ordinary subcommittee cannot include in its membership any person who is not an Assembly Member: s55(3) GLA Act 1999. However, advisory committees and subcommittees can include such persons.

[2] The appointment of Assembly Members, the Mayor and Independent Standards Members to the Standards Committee is covered by Standing Order 11 (Ethical Standards).

[3] Under SO 11.2D the Standards Committee approves its own terms of reference.

[4] Currently this is the Business Management and Appointments Committee.

8.2 MEMBERS' RIGHTS TO BE ON A COMMITTEE AND OBSERVERS AT COMMITTEE

Application: applies to the Assembly in relation to appointments to its committees but not to the Standards Committee. Applies to committees and subcommittees (but not a panel of Standards Committee) in relation to participating observers.

- A. In making appointment to committees, every Assembly Member may be entitled to serve on at least one committee even if not a member of a registered Political Group; but no such entitlement shall apply to membership of subcommittees (if any).
- B. Any Assembly Member may attend any public meeting of the Assembly and its committees as a non-voting observer and participate, with the consent of the Chair, in the business of that meeting.

8.3 POLITICAL BALANCE

Application: applies to the Assembly, its committees, subcommittees and to the Standards Committee (paragraph G only).

- A. Except for the Standards Committee (which is exempt from such rules^[1]) the seats on all ordinary and advisory committees will be allocated and appointed by the Assembly or by a committee authorised by it in accordance with the requirements of sections 15 to 17 of the Local Government and Housing Act 1989 as between the members of those Political Groups (if any) as have been properly constituted and notified to the Chief Executive (as proper officer), in accordance with the Local Government (Committees and Political Groups) Regulations 1990^[2] and the 1989 Act.
- B. The determination referred to in paragraph D below shall take place at the Annual Meeting or as soon as possible after any such further determination is required by or under sections 15 to 17 of the 1989 Act and the 1990 Regulations.
- C. Before determining the allocation of seats under paragraph A above, the Executive Director of Secretariat shall submit a report to the Assembly or authorised committee (as the case may be) showing what allocation(s) would, in his/her opinion, best meet the requirements of the principles set out in section 15(4) of the 1989 Act (and/or identifying any allocations that do not) whenever such a determination is required by or under that Act.
- D. The Assembly or authorised committee shall determine the allocation of seats to Political Groups following consideration of that report and appoint persons to them in accordance with the determination so approved. The function of determining the allocation of seats on any committee under sections 15 to 17 of the 1989 Act as between Political Groups may not be delegated^[3].
- E. Seats on committees may only be allocated and appointed (whether by the Assembly or by an authorised committee) on a non-proportionate basis (ie on a basis other than in accordance with the principles stated in section 15(4) of the 1989 Act^[4]) if the Assembly or authorised committee^[5] approves such an allocation by unanimity of those present and voting, abstentions not counting (ie where no Assembly Member casts a vote against).
- F. The determination of the identity of the individuals who shall assume the seats allocated by the Assembly or authorised committee to any particular Political Group may be delegated to an individual Assembly Member of that same Group^[6], who shall notify the Executive Director of Secretariat as soon as practicable of the person(s) who shall take that seat/those seats in accordance with the 1990 Regulations and any procedures approved by the Executive Director of Secretariat from time to time for that purpose.
- G. The appointment of Assembly Members to the Standards Committee in terms of whether they are proportional or not (ie in accordance with the principles stated in section 15(4) of the 1989 Act) shall be exclusively governed by Standing Order 11.2 below.

Notes and definitions

[1] By s53(10) of the Local Government Act 2000 the Standards Committee is exempt from the political balance requirements of the Local Government and Housing Act 1989. See SO 11.2, under which the Assembly can if it wishes appoint Assembly Members to the Standards Committee in accordance with the political proportionality rules in section 15 to 17 of the Local Government and Housing Act 1989.

[2] See Statutory Instrument 1990/1553 as amended.

[3] This is in accordance with normal local government practice.

[4] The principles set out in s15(4) of the 1989 Act are the following:

- that all the seats are not allocated to the same Political Group (Principle I);
- that the biggest number of the seats go to the Political Group with the most seats on the Assembly (Principle II);
- that, subject to the above two principles, the total number of seats on the ordinary Committees of the Assembly are allocated to each Political Group in the same proportion as the group's representation on the Assembly (Principle III); and
- that, subject to the above three principles, the number of seats on each committee are allocated to each Political Group in the same proportion as the group's representation on the Assembly (Principle IV).

However, if it is practicable to do so, effect should additionally be given to Principle IV.

[5] Under s17(1)(b) of the 1989 Act unanimity of votes cast is required to approve any such non-proportionate allocation (s17(1)(b) states "without any member of the authority or committee voting against them". To clarify, the position is that:

- the Assembly or authorised committee can approve an allocation on a proportionate basis (ie one that is, so far as is practicable, in accordance with those four principles) by a simple majority of votes cast;
- the Assembly or authorised committee may only approve an allocation on a different basis (ie one that is not in accordance with those four principles, so far as is practicable) if no single member votes against, abstentions not counted (ie by unanimity of votes cast) as a result of s17(1)(b) of the 1989 Act.

[6] This is usually delegated to the Leader of the Political Group. The 1990 Regulations contain provisions concerning how Political Groups are to determine who is to sit for their group on a committee.

8.4 APPOINTMENT OF ASSEMBLY MEMBERS TO OUTSIDE BODIES

Application: applies to all Assembly Members.

- A. Appointments of Assembly Members to outside bodies by the Mayor shall be notified by that Member to the Executive Director of Secretariat for information as soon as practicable after the appointment is made.
- B. Appointments of Assembly Members to outside bodies by the Assembly will ordinarily be made by the Assembly at its Annual Meeting as required.
- C. In making appointments, the Assembly will determine the terms and period of such appointments, subject to any specific requirements of the relevant outside body.
- D. Every Assembly Member appointed to an outside body by the Assembly is required to prepare a written report to the Assembly annually on the work they have undertaken.
- E. Substitutes for Assembly Members serving on outside bodies will be appointed only where the outside body concerned requires this or agrees to it.
- F. The Assembly at its Annual Meeting will appoint named substitutes for those Members appointed to outside bodies where appropriate.
- G. The Executive Director of Secretariat shall keep a register of all such appointments.

8.5 WORKING GROUPS AND PANELS

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

- A. The establishment of working groups or working panels or other such bodies for the purpose of advising or undertaking work on any matter^[1], which are not constituted as bodies to which the access to information provisions of Part 5A of the Local Government Act 1972 apply, requires the prior consent of the Assembly or the business management committee^[2].
- B. For clarification, a body constituted under paragraph A above cannot exercise any function of the Assembly or determine any matter, other than to make a recommendation.
- C. A member of a working group or panel unable to attend a meeting may request any Assembly or co-opted member to attend in their stead.

Notes and definitions

[1] Otherwise the body would be a committee/subcommittee and so subject to access to information rules.

[2] The business management committee refers to the committee designated as such for the purposes of Standing Order 9.4. This currently refers to the Business Management and Appointments Committee.

8.6 SUBSTITUTES FOR COMMITTEES AND SUBCOMMITTEES

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

- A. Unless the Assembly decides otherwise, there shall be provision on the Standards Committee (but not a panel of Standards Committee hearing a complaint about the Mayor or an Assembly Member^[1], and on each ordinary or advisory committee and subcommittee of the Assembly, for other Assembly Members or co-opted members of those bodies (called "Substitute Members") to substitute for any member of that body unable to attend a meeting, or part of a meeting.
- B. At the Annual Meeting, or as and when necessary, the Assembly may agree (and the Assembly may subsequently vary) a standing list of named Substitute Members for each committee or subcommittee, including the Standards Committee.
- C. A substitution shall not be effective until the Substitute Member has informed the Executive Director of Secretariat's representative that he/she is present at the meeting in substitution for a named Member and the Member for whom he/she is substituting is in fact absent.
- D. Once his or her substitution is effective, the Substitute Member may exercise at the meeting all the powers (including the right to speak and vote) of the person he/she is substituting for. However, these powers shall cease at the end of the meeting.
- E. If a Member substitutes for the Member who is Chair, the Deputy Chair of the body shall preside. If the Deputy Chair is not present the body shall elect a person to preside over that meeting.

Notes and definitions

- [1] This means hearings held under s66 of Part III of the Local Government Act 2000 following breaches of the Code of Conduct by Members.

8.7 JOINT MEETINGS AND JOINT SUBCOMMITTEES

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

- A. Any two or more committees or subcommittees may hold a joint meeting, and their Chairs shall between them decide who shall preside over the meeting before its agenda is published (in default of agreement the Chair of the Assembly shall decide) and the agenda shall name the Member presiding. At the joint meeting all the members of the committees present may vote on any question on which a vote is called.
- B. Subject to the prior agreement of the Assembly or the business management committee, and subject to Standing Order 8.1 A above, any two or more committees may establish a joint subcommittee to deal with any matter in which there is a joint interest.

8.8 MINORITY REPORTS ARISING FROM SCRUTINIES

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

- A. The views of the minority of the meeting concerning that body's report (Assembly, committee or subcommittee) on the outcome of a scrutiny or investigation shall (if any one or more Members wish to exercise their right to have a Minority Report) be recorded as an appendix to the Majority's Report. If so, the Majority Report shall clearly indicate the Minority Report's existence.
- B. The Minority Report shall be prepared by the minority Member(s) concerned in accordance with procedures approved from time to time by the Executive Director of Secretariat under this Standing Order for that purpose. (Before approving that procedure the Executive Director of Secretariat shall consult the Chair of the Assembly and Leaders of the Political Groups.)

8.9 APPOINTMENT OF RAPPORTEURS

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

- A. A committee or subcommittee (ordinary or advisory) may appoint one or more of its members to be a rapporteur, delegated with the task of undertaking a scrutiny or investigation (or part of one) on its behalf^[1]. Rapporteurs will undertake their functions in accordance with rules and procedures (including a timetable) approved by that body and will report their findings back to it for approval.
- B. The business management committee^[2] must approve every proposal to appoint a rapporteur under paragraph A above before the rapporteur may start his/her duties: and that committee shall approve any budgetary provision upon which the rapporteur may call for the purposes of the scrutiny or investigation in question.

Notes and definitions

[1] Under s54(3) of the GLA Act 1999 a committee may approve arrangements for the discharge of any of its functions by a single member of the Assembly. Co-opted members of a committee cannot be appointed rapporteurs under this provision.

[2] Business management committee refers to the committee designated for the purposes of Standing Order 9.4; currently this is the Business Management and Appointments Committee.

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STANDING ORDER 9

DELEGATION OF THE ASSEMBLY'S AND STANDARDS COMMITTEE'S FUNCTIONS

9.1 THE GENERAL DELEGATION

Application: applies to the Assembly, its committees and subcommittees but not the Standards Committee.

- A. The Assembly shall keep under review the exercise by the Mayor of the statutory functions exercisable by him/her, and for the purpose of discharging that duty the powers available to the Assembly and its committees (and subcommittees if any) including the power under Section 59 of the GLA Act 1999 to investigate and to prepare reports.
- B. Unless expressly decided to the contrary when established, the terms of reference of every scrutiny or investigation shall be deemed to include an implied requirement to examine^[1]:
 - (1) to what extent (if at all) the Mayor could use the Authority's powers under section 30 of the GLA Act 1999 in relation to its subject matter of the inquiry or investigation; and
 - (2) to consider making recommendations to the Mayor as to how he/she could use those statutory powers or any other available ones.
- C. Every ordinary or advisory committee and subcommittee^[2] of the Assembly is delegated under section 54(1) of the GLA Act 1999 to discharge any of the Assembly's functions as are capable of being exercised within that committee or subcommittee's approved terms of reference^[3] subject to any express decision to the contrary by the Assembly or where expressly excluded by law or by Standing Orders.
- D. The functions of the Assembly delegated to committees and subcommittees under paragraph A above include (without limitation) the following:

by an ordinary committee only:

 - (1) for the purposes of section 62(1) of the GLA Act 1999, the exercise of the Assembly's powers to require the attendance of witnesses and/or the production of documents in accordance with sections 61 to 64 of that Act^[4];
 - (2) the powers of the Assembly to require financial information from a Functional Body under section 110 of the GLA Act 1999;

by an ordinary committee or sub-committee only:

- (3) the function of keeping the Mayor's exercise of his/her statutory functions under review in accordance with section 59(1) of the GLA Act, including determining what matters to investigate and prepare reports about under section 59(2) and (in particular) what matters are of importance to Greater London for the purposes of subsection (e) of that section;
 - (4) power to do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of any function of the Authority which is exercisable by the Assembly, or with the Mayor acting jointly, in accordance with section 34 of the GLA Act;
 - (5) subject to Standing Order 8.1B^[5] and Standing Order 9.6, and to any express direction by the Assembly to the contrary, an ordinary or advisory committee's ability to establish, appoint members and delegate functions to an ordinary subcommittee or to delegate functions to a single Member of the Assembly under section 54(3) of the GLA Act;
 - (6) subject to Standing Order 9.6 below and to any express direction by the parent committee to the contrary, an ordinary or advisory subcommittee's ability to delegate functions to a single Member of the Assembly under section 54(4) of the GLA Act;
 - (7) subject to Standing Order 12 (Staff Standing Orders) and to any express direction to the contrary by the Assembly, its ability to arrange for a member of staff appointed by the Assembly under section 67(2) of the GLA Act to exercise on its behalf any Assembly function exercisable under sections 67(2) or 70(2) of that Act^[6].
- E. None of the above limits the Assembly's right to exercise the same powers or to delegate them to other committees.

Notes and definitions

[1] The purpose of paragraph B is to link every scrutiny or investigation with the Assembly's primary duty under s59(1), which is to *"keep under review the exercise by the Mayor of the statutory functions exercisable by him"*.

[2] The Assembly's committees are divided into two types under s55 of the GLA Act 1999: ordinary and advisory. The difference is that an advisory committee can only advise on matters relating to the discharge of functions: they cannot actually discharge any functions. Therefore an advisory committee cannot take any executive decision or other decision that authorises expenditure. Ordinary committees can do so. The general delegation in SO 9.1 applies to both ordinary and advisory committees, subject to that basic limitation.

[3] The Standards Committee is a committee of the Authority as a whole (ie the Mayor and Assembly) and so cannot be delegated functions that are the Assembly's.

[4] The Assembly's powers under ss61 to 65 of the GLA Act cannot be exercised by the Standards Committee and cannot be delegated to or exercised by an ordinary subcommittee, or by an advisory committee or advisory subcommittee, or by an individual Assembly Member or a member of staff: see s62(1), GLA Act. The Standards Committee is not an ordinary committee of the Assembly but a statutory committee of the Authority as a whole. Under s62(1) only those committees expressly authorised by Standing Orders can exercise the Assembly's powers under s61(1).

[5] The details of exercising this power (eg what information etc and by when) may be delegated to the Chair or a single Member.

[6] Under Standing Order 8.1B the Assembly's prior approval is required before a committee can establish a subcommittee, unless its terms of reference explicitly include the power to establish a subcommittee and to appoint its members.

9.2 STANDING DELEGATION TO CHAIRS

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

- A. The Chair of the Assembly, and the Chairs of every ordinary or advisory committee or subcommittee and of the Standards Committee, may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of any of that body's functions including (without limitation) the following^[1]:
- (1) inviting persons to attend meetings and entering into correspondence on that body's behalf in accordance with agreed decisions or in relation to any agreed annual work programme;
 - (2) speaking to the media in accordance with protocols regarding media relations as approved by the Executive Director of Secretariat from time to time following consultation with the Assembly's Political Group Leaders.
- B. Paragraph A is subject to Standing Order 9.3 (Matters reserved to the Assembly) and to any express decision to the contrary by the body of which that person is Chair.

Notes and definitions

[1] The matters referred to in para B are, under SO 9.5A, to be exercised in accordance with the Corporate Governance Framework.

9.3 MATTERS RESERVED TO THE ASSEMBLY

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

- A. The following functions are reserved for exercise by a meeting of the Assembly only, and are not delegated to any committee or subcommittee (ordinary or advisory) of the Assembly, to the Standards Committee or to any individual Assembly Member:
- (1) any function which under the GLA Act 1999 or other statutory provision or rule of law can only be exercised by a meeting of the Assembly and which cannot be delegated, including the following:
 - a. the power to make proposals to the Mayor under section 60 (1) of the GLA Act 1999;
 - b. the function of determining the allocation of seats on any ordinary committee (as defined by the GLA Act 1999) under sections 15 to 17 of the Local Government and Housing Act 1989 Act as between Political Groups under that Act;
 - c. the functions of the Assembly under section 20A of the Police Act 1996 (Questions to Metropolitan Police Authority members on their functions at London Assembly Meetings)^[1];
 - d. the consideration and approval (with or without amendment) of the Mayor's Draft Consolidated and Final Draft Budgets in accordance with section 87 and Schedules 6 and 7 of the GLA Act 1999;
 - (2) the variation or amendment of approved Standing Orders;
 - (3) such other matters as are specifically and exclusively referable to a meeting of the Assembly under these Standing Orders;
 - (4) such other matters as the Assembly may from time to time reserve to itself for decision notwithstanding any provision in Standing Orders to the contrary, but subject to the GLA Act 1999 or other statutory provision or rule of law.

Notes and definitions

[1] Section 20A(1) of the Police Act 1996 states: *"The London Assembly shall make arrangements (whether by Standing Orders or otherwise) for enabling questions on the discharge of the functions of the Metropolitan Police Authority to be put by Members of the Assembly at a meeting of the Assembly for answer by a person nominated by the Metropolitan Police Authority for that purpose."* Subsection (2) states: *"On being given reasonable notice by the London Assembly of a meeting of the Assembly at which questions on the discharge of the Metropolitan Police Authority's functions are to be put, the Metropolitan Police Authority shall nominate one or more of its members to attend the meeting to answer those questions."*

9.4 THE BUSINESS MANAGEMENT COMMITTEE

Application: applies to the Assembly (paragraphs A and D) and to the committee designated for the purposes of Standing Order 9.4 only (paragraphs B and C).

- A. The Assembly shall appoint one ordinary committee to undertake its business management functions, which it shall designate for the purposes of this Standing Order 9.4 (called the “business management committee ” in these Standing Orders)^[1].
- B. The business management committee shall have the functions mentioned in paragraph C below in addition to anything else contained in its approved terms of reference, but subject always to:
 - (1) any express decision of the Assembly to the contrary;
 - (2) Standing Order 9.3 (Matters reserved to the Assembly); and
 - (3) any other contrary provision of Standing Orders or of a statutory provision and rule of law.
- C. The functions mentioned in paragraph B above are:
 - (1) the power to determine any matter falling within the functions of the Assembly following consultation by the Chair of the business management committee with the Chair of the Assembly and the Leaders of the Political Groups;
 - (2) the power to deal with and determine any question, issue or other matter not falling within the approved terms of reference of any other committee or subcommittee (ordinary or advisory), other than the Standards Committee;
 - (3) apart from the Standards Committee, following consultation by the Chair of the business management committee with other Chairs affected, the power to vary from time to time the approved terms of reference of the Assembly’s other committees and subcommittees (ordinary or advisory), so as to include for the future an issue or other matter not otherwise provided for and thereby to facilitate the efficient and effective discharge of the Assembly’s functions^[2].
- D. The business management committee may be called by whatever name the Assembly decides appropriate, and its functions may be combined with those of the Staffing Committee mentioned in Standing Order 12.3 (the Staffing Committee) as well as with such other functions as the Assembly from time to time decides.

Notes and definitions

[1] At the present time the Business Management and Appointments Committee has been appointed as the “business management committee” under paragraph A.

[2] The variation of the business management committee’s *own* terms of reference requires the Assembly’s approval. It cannot vary its own terms of reference.

9.5 TERMS OF DELEGATION OF FUNCTIONS

Application: applies to any functions delegated by the Assembly, its committees and subcommittees and the Standards Committee.

- A. All functions delegated under this Standing Order 9, by decision of the Assembly, a committee or subcommittee (including the Standards Committee) or by any other means, are to be exercised by those committees, subcommittees, individual Assembly Members, co-opted members or by members of GLA staff in accordance with:

- (1) this Standing Order 9.5;
- (2) any other applicable Standing Order;
- (3) any restrictions, conditions or limitations set out in the Scheme of Delegation maintained under Standing Order 9.6 below, where delegated to a single Assembly Member or member of staff; and
- (4) any applicable provision in the Authority's Corporate Governance Framework as approved from time to time including Financial Regulations^[1], the Contracts Code, the GLA's Code of Conduct^[2], and the Staff Code of Ethics;

together with, and subject to, any other applicable legal requirement, statutory or otherwise.

- B. Any function delegated under this Standing Order or otherwise to a committee or subcommittee, to a member of the Assembly, co-opted member or to a member of GLA staff:

- (1) shall not prevent the Assembly, committee or subcommittee that made the delegation from exercising those functions;
- (2) may be withdrawn by the Assembly at any time (notwithstanding they were delegated by a committee, subcommittee or single Assembly Member) or by the body or person that approved the delegation;
- (3) may not be delegated by a member of staff with delegated authority to another member of staff appointed under section 67(2) of the GLA Act 1999^[3].

- C. Nothing in this Standing Order 9.5 requires any decision made by a Chair or the Executive Director of Secretariat during a meeting or (outside one) in connection with the chairing, holding or calling of a meeting to be documented^[4].

Notes and definitions

[1] These are as approved by the Executive Director of Finance & Performance from time to time under s127 of the GLA Act 1999.

[2] This is the statutory code of conduct as adopted and varied from time to time by joint decision of the Mayor and the Assembly under s51 of the Local Government Act 2000.

[3] This is to ensure that an officer with delegated authority cannot further delegate.

[5] Eg the Executive Director of Secretariat does not have to sign a Directorate Approval Form to send an agenda out and the Chair is not required to sign a Member Delegated Action Form to adjourn a meeting.

9.6 THE ASSEMBLY'S SCHEME OF DELEGATION

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

- A. The Executive Director of Secretariat shall record (and keep up to date) in a register or scheme of delegation (called in this Standing Order “the Scheme of Delegation”) details of all those functions that have been delegated on a permanent or standing basis by the Assembly, its committees or subcommittees or the Standards Committee to:

- (1) an individual Assembly Member or co-opted member, in whatever capacity; or
- (2) members of GLA staff appointed by the Assembly under section 67(2) of the GLA Act 1999^[1];

which shall be exercised in accordance with such restrictions, conditions and limitations as are stated therein.

- B. The approved terms of reference of committees and subcommittees and details of matters delegated or given to the Chair of the Assembly or of a committee or subcommittee by or under Standing Orders may be omitted from the Scheme. Ad hoc delegations concerning short-lived matters also need not be recorded.
- C. The public may inspect the Scheme of Delegation during normal office hours and a copy shall be posted on the Authority's website.
- D. Where a committee report includes a delegation of a permanent or standing nature (whether to an Assembly Member or member of GLA staff) then it shall state that the Scheme of Delegation should be amended accordingly. The Executive Director of Secretariat shall update and amend the Scheme in those circumstances. Any defect or failure to do so shall not invalidate the exercise of any those delegated functions.
- E. The Scheme of Delegation shall be reported to and approved by the Annual Meeting, and may be amended between such meetings by any of the bodies mentioned in paragraphs A above responsible for approving delegations.

Notes and definitions

[1] Under s54(1) only staff appointed by the Assembly under s67(2) of the GLA Act may exercise Assembly functions, which are limited by s54(2) to that power (ie the power of staff appointment under s67(2)) and to the power, under s70(2), to determine the terms and conditions (including remuneration) of staff appointed under s67(2). However, the exercise of administrative functions by GLA staff (the Executive Director of Secretariat in particular) in connection with the Assembly's executive functions is not prevented by s54(1) and is authorised by the GLA's Decision Making Framework.

9.7 THE MAYOR'S SCHEME OF DELEGATION

Application: applies to the Authority.

- A. The Executive Director of Finance and Performance as Chief Finance Officer shall maintain in a scheme or register of delegation (and keep updated) details of all functions that have been delegated on a permanent or standing basis by the Mayor under section 38 of the GLA Act 1999^[1].
- B. The public may inspect the scheme during normal office hours and a copy shall be posted on the Authority's website.
- C. The Mayor's Scheme of Delegation shall be reported to the Annual Meeting.

Notes and definitions

[1] Under s38 of the GLA Act 1999 the Mayor may delegate his functions to a range of bodies and individuals, including the Deputy Mayor and GLA staff, whether appointed by the Mayor or by the Assembly.

STANDING ORDER 10

ACCESS TO THE AUTHORITY'S INFORMATION AND PREMISES

10.1 MEMBERS' ACCESS TO INFORMATION, DATA AND DOCUMENTS UNDER PART 5A OF THE LOCAL GOVERNMENT ACT 1972^[1]

Application: to all Assembly Members, and to co-opted members of committees, subcommittees and of the Standards Committee.

- A. (1) An individual member of the Assembly, and a co-opted member of a committee or subcommittee, including the Standards Committee, for the purposes of his/her duties; or
- (2) the Assembly, a committee or subcommittee of the Assembly and the Standards Committee, for the purposes of any scrutiny, investigation or inquiry or of any other statutory function exercisable by it
- may inspect or request copies of any data or document (including those in electronic form) of the Authority which is in the Authority's possession or control in accordance with and subject to any relevant statutory provision or rule of law as advised by the Head of Law.
- B. Requests for documents and data under paragraph A above shall be made to the Executive Director of Secretariat.
- C. The Head of Law may issue guidance from time to time on Assembly Members' rights of access to information under paragraph A above.

Notes and definitions

[1] This Standing Order covers only the statutory rights of access to information and premises provided by the Local Government Act 1972 (as amended by the Local Government (Access to Information)(Variation) Order 2006) (applicable to the GLA by virtue of s58 GLA Act 1999). Nothing in the Standing Order affects the rights of Members to obtain access to information via other means, including the Freedom of Information Act 2000, the Data Protection Act 1998, sections 61 to 65 of the GLA Act 1999, section 110 of that Act, and section 228 of the Local Government Act 1972.

10.2 STATUTORY POWERS TO REQUIRE ATTENDANCE AND THE PRODUCTION OF DOCUMENTS

Application: applies to the Assembly and its ordinary committees only, but not to ordinary subcommittees, to advisory committees or subcommittees or to the Standards Committee.

A. The Assembly and, pursuant to Standing Order 9.1, every ordinary committee (except the Standards Committee)^[1] may exercise such of the powers under section 61(1)(a) or (b) of the GLA Act 1999 as they consider appropriate in the circumstances to require any person to whom sections 61(2) to (5)^[2] apply to:

- (1) attend the proceedings of the Assembly or of the committee (as the case may be) for the purpose of giving evidence; and/or
- (2) produce to the Assembly or to the committee (as the case may be) documents in his/her possession or under his/her control;

as the Assembly or committee has by resolution so determined.

The exercise of the Assembly's powers under section 61(1) may not be delegated by the Assembly, or by an ordinary committee, to a subcommittee or to an individual Assembly Member or to any member of staff of the Authority^[1].

Notes and definitions

[1] Section 62(1) of the GLA Act 1999 states that an ordinary committee (note, not an advisory one) can exercise the Assembly's powers under s61(1) if, and only if, expressly authorised to do so under Standing Orders. The General Delegation under Standing Order 9.1, which is confirmed by paragraph B of that standing order, authorises every ordinary committee to exercise the Assembly's powers under s61(1). The Standards Committee cannot exercise these powers because it is not a committee of the Assembly, but rather a committee of the Authority as a whole. Also by s62(1), neither ordinary subcommittees nor advisory committees or advisory subcommittees can exercise these powers.

[2] Under ss61(2) to (5) the following people can have a requirement under s61(1) imposed upon them for the following purposes:

(i) To attend to give evidence in connection with matters in relation to which statutory functions are exercisable by the Authority or any Functional Body, and/or to produce documents which relate to those matters:

- "Any person who is a member of staff of the Authority, or of any functional body, to whom sections 1 to 3 of the Local Government and Housing Act 1989 apply": see s61(2)(a). This covers the holders of politically restricted posts but (since it is not a Functional Body) not an officer in the Metropolitan Police Service, including the Commissioner of Police, since the 1989 Act does not apply to them.
- "Any person who is the chairman of, or a member of, any functional body": see s61(2)(b). This covers the Mayor but only if he/she is also the Chair of Transport for London (TfL) and the imposition of a requirement to attend or produce documents under s61(2)(b) can only be used in connection with matters in relation to which statutory functions are exercisable by TfL ie in the capacity as Chair of TfL.
- "Any person who has within the three years prior to the date of the requirement to be imposed [under s61(1)] been the chairman, or a member of, any functional body": see s61(2)(c).

(ii) To attend to give evidence in connection with the exercise by the person attending of the functions of the Authority, and/or to produce documents which relate to the exercise of those functions by that person:

- "Any person who is an Assembly Member": see s61(5)(a).

- “Any person who has within the three years prior to the date of the requirement to be imposed [under s61(1)] been an Assembly Member”: see s61(5)(b).
- “Any person who has within the three years prior to the date of the requirement to be imposed [under s61(1)] been the Mayor”: see s61(5)(c).

(iii) To attend to give evidence in connection with a contractual relationship with the Authority, and/or to produce documents which relate to that contractual relationship:

- “Any person who has within the three years prior to the date of the requirement to be imposed [under s61(1)] had a contractual relationship with the Authority”: see s61(3)(a). This does not cover contracts awarded by the Functional Bodies.
- “Any person who is a member of, or a member of staff of, a body which has within the three years prior to the date of the requirement to be imposed [under s61(1)] had such a relationship”: see s61(3)(b).

(iv) To attend to give evidence in connection with a grant received from the Authority, and/or to produce documents which relate to that grant:

- “Any person who has within the three years prior to the date of the requirement to be imposed [under s61(1)] received a grant from the Authority”: see s61(4)(a). This does not cover grants given by the Functional Bodies.
- “Any person who is a member of, or a member of staff of, a body which has within the three years prior to the date of the requirement to be imposed [under s61(1)] received such a grant”: see s61(4)(b).

General: The Assembly can pass a resolution imposing a requirement to attend a meeting of a committee. Similarly, the business management committee (currently the Business Management and Appointments Committee) can impose a requirement to attend a future Assembly meeting or a future meeting of another committee (no other committee can do this). Under paragraph A, both the Assembly and SO 9.4 Committee can impose a requirement to attend or produce documents in relation to their own business and future meetings.

10.3 RIGHTS OF ACCESS TO PREMISES

Application: applies to all Assembly Members and to co-opted members of committees, subcommittees and the Standards Committee.

- A. A Member of the Assembly shall have a general right of access to all premises owned or occupied by the Authority (except those exclusively let or licensed to others) provided he/she gives reasonable prior notice and identifies him/herself to the persons in charge of such property as a member of the Assembly.

STANDING ORDER 11

THE STANDARDS COMMITTEE AND ETHICAL STANDARDS

11.1 THE GLA CODE OF CONDUCT

Application: applies to the Mayor, every Member of the Assembly, and to other co-opted members of committees or subcommittees, including Independent Standards Members on the Standards Committee.

- A. The Mayor, each Assembly Member, the Independent Standards Members, and every other co-opted member of an Assembly committee or subcommittee shall at all times comply with the GLA's Code of Conduct^[1], as approved and adopted from time to time by the Authority under section 51 of the Local Government Act 2000 ("the Code"). In particular they shall:
- (1) disclose their personal interests and prejudicial interests at meetings of the Authority in accordance with paragraphs 8 to 10 of the Code;
 - (2) not participate where they have a prejudicial interest, in accordance with paragraphs 10 and 11 of the Code;
 - (3) notify the Monitoring Officer within 28 days of any financial and other interests he/she is required to register in the Standing Register of Interests in accordance with paragraphs 13 to 15 of the Code (and within 28 days from becoming aware of any changes, notify the Monitoring Officer);
 - (4) within 28 days of receiving any gift or hospitality over the value of £25 as required under paragraphs 16 and 17 of the Code, notify the relevant details to the Monitoring Officer.
- B. In addition to the above, following a written request from the Monitoring Officer to do so, the Mayor, Members of the Assembly and co-opted members shall within 28 days notify the Monitoring Officer whether or not the financial and other interests they are required to register in the Register of Interests are correct, and/or supply the details of any changes to entries in the Register that are required to be made in order to comply with paragraphs 13 to 15 of the Code. The Monitoring Officer shall make such a request under this paragraph at least once every Assembly year.
- C. Independent members of the Standards Committee ("Independent Standards Members") are appointed under section 53 of the Local Government Act 2000 and are co-opted members for the purposes of paragraph 1(4) of the Code of Conduct, and the Code shall apply to them in that capacity.
- D. The Executive Director of Secretariat shall record in a register (and keep updated) Assembly Members' membership of the Functional Bodies and London borough councils. An entry in that register shall be deemed to be a declaration of the personal interest arising solely from that membership for the purposes of paragraphs 8 to 12 of the Code in meetings of the Assembly and its committees. A list of memberships of Functional Bodies and London borough councils shall be available for public reference at all Assembly and committee meetings.

- E. No person appointed as a co-opted member of a committee or subcommittee (whether ordinary or advisory) may act in office unless he/she has given to the Head of Paid Service a written undertaking that in performing his/her functions the member will observe the Authority's Code of Conduct for the time being as adopted under section 51 of the Local Government Act 2000^[2].
- F. The Mayor, Assembly Members and co-opted members of committees and subcommittees (including the Independent Standards Members) shall at all times comply with any non-statutory protocols^[3] concerning conduct approved from time to time by the Standards Committee. The Mayor will be consulted on all non-statutory protocols whether or not he/she is for the time being a Member of the Standards Committee.

Notes and definitions

[1] Under s51 of the Local Government Act 2000 the Authority must adopt a Code for the purposes of that section; the reference is to that Code. A copy appears in the Rule Book. By s83(15) the Code must be adopted by the Mayor and the Assembly acting jointly on behalf of the Authority.

[2] This is a requirement of s52(4) of the Local Government Act 2000. "Acting in office" includes the person taking their seat on the committee and participating in the meeting.

[3] These include (but are not limited to) any rules and protocols that have been formally appended to the statutory Code approved under s51 of the Local Government Act 2000.

11.2 THE STANDARDS COMMITTEE

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

- A. In accordance with section 53 of the Local Government Act 2000 there will be a Standards Committee, which is a statutory committee of the Authority as a whole. The Standards Committee shall discharge the Authority's functions under Part III of the Local Government Act 2000 with the exception of:

- (1) the approval/amendment of the GLA Code of Conduct under section 51 of the Local Government Act 2000^[1] and
- (2) the appointment of the "Independent Standards Members"^[2] to the Standards Committee under section 53 of that Act;

which are functions to be exercised jointly by the Mayor and the Assembly.

- B. The Standards Committee shall have the following constituents:

- (1) Assembly Members appointed by the Assembly, which if the Assembly so decides, shall reflect proportionality amongst the Political Groups on the Assembly (i.e. proportionality in accordance with sections 15 to 17 of the Local Government and Housing Act 1989)^[3];
- (2) at least one quarter "Independent Standards Members" jointly appointed by the Assembly and the Mayor in accordance with the requirements of Part III of the Local Government Act 2000^[4]; and
- (3) the Mayor, if he/she confirms in writing to the Executive Director of Secretariat that he/she wishes to be a member of the Standards Committee for that Assembly year.

- C. The Authority's Standing Orders shall apply to the Standards Committee (and to any of its subcommittees) as if it were a committee or subcommittee of the Assembly, so that (where possible and relevant) the Mayor (if a member of the Standards Committee) and the Independent Standards Members shall have the same rights and privileges under Standing Orders in relation to meetings of the Standards Committee and its subcommittee as individual Assembly Members have under Standing Orders.

- D. The functions of the Standards Committee shall be those set out in that Committee's approved terms of reference, which the Standards Committee shall approve for itself at its first meeting of the Assembly year, and may subsequently vary^[5]. These functions shall include the functions mentioned in sections 54 and 54A of the Local Government Act 2000 and any other function conferred on Standards Committees of relevant authorities by or under the provisions of that Act or any other statutory provision.

- E. The Standards Committee may issue dispensations to the Mayor and Assembly Members in accordance with section 81(4) of the Local Government Act 2000 and the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002 (SI 339/2002) and any delegation and procedures approved by the committee for that purpose from time to time.

- F. A Panel of the whole Standards Committee, or subcommittee of that committee^[6], may undertake a Formal Determination Hearing and when doing so, shall:
- (1) comply with any regulations made under section 66 of that Act;
 - (2) as regards the procedure at such hearings, have regard to any guidance issued by the Standards Board for England; and
 - (3) determine the matter in question in accordance with such regulations and guidance and any other procedures as have been approved by the Committee (from time to time) for that purpose.
- G. The Standards Committee shall elect its own Chair and Deputy Chair from amongst its members, either or both of whom may be an Independent Standards Member but may not be the Mayor or Deputy Mayor or the Chair or Deputy Chair of the Assembly.
- H. The Standards Committee may establish one or more subcommittees for the purpose of discharging any of the committee's functions, whether or not to the exclusion of the committee, under section 54A of the Local Government Act 2003. (The consent of the Assembly or the business management committee to this under Standing Orders 8.1B or 8.5A above shall not be required.) The identity of the Chair, the number of members of a subcommittee, terms of office and its terms of reference shall be fixed by the Standards Committee when it is established. The Standards Committee shall also determine whether or not the subcommittee's decisions are to be to the exclusion of the Committee^[7].
- I. The members of any Panel of the whole committee or subcommittee established to undertake a Formal Determination Hearing shall be drawn solely from the members of the Standards Committee^[8] (not being Substitute Members under Standing Order 8.6).

Notes and definitions

[1] "Code of Conduct" refers to the Code that the Authority is required to adopt under s51 of the Local Government Act 2000. Under s83(15) the approval of the Code is a function to be exercised jointly by the Mayor and the Assembly.

[2] "Independent Standards Member" refers to the persons who are not members or officers of the Authority who, under s53(4) of the Local Government Act 2000, must be included in the membership of a Standards Committee. They are appointed to the Standards Committee under the rules contained in the Relevant Authorities (Standards Committee) Regulations 2001 (SI 2001/2812).

[3] Under s53(10) of the Local Government Act 2000 the political proportionality rules under ss15 to 17 of the Local Government and Housing Act 1989 do not apply to Standards Committees. However, there is nothing to prevent the Assembly appointing the members of the Standards Committee on this basis if it chooses, by a simple majority of votes cast, to do so.

[4] As required by s83(15) of the Local Government Act 2000.

[5] As a committee of the Authority as a whole the Standards Committee, rather than the Assembly, approves its own terms of reference.

[6] Under s54A of the Local Government Act 2000 (as amended) a Standards Committee may appoint one or more subcommittees for the purpose of discharging any of the committee's functions, whether or not to the exclusion of the committee. "Panel" in paragraphs F and H refers to where a meeting of the Standards Committee

is convened but by agreement a smaller number are present; such a panel is not in law a subcommittee, but rather a panel of the whole committee.

[7] This is a requirement of s54A(6).

[8] This is a requirement of s54A(3) of the Local Government Act 2000 (as amended).

General: The quorum for meetings of the Standards Committee is set out in Standing Order 2.4A(2). This is not less than one half of the committee's total membership, provided that at least one Independent Standards Member is present. When a panel of the committee, or a subcommittee, conducts a Formal Determination Hearing, then the quorum shall be any 3 members including at least one Independent Standards Member.

11.3 MEMBERS' REMUNERATION, EXPENSES AND PENSIONS

Application: applies to the Mayor and the Assembly.

- A. The Mayor and the Assembly shall jointly exercise the Authority's functions of making determinations, in accordance with sections 24 and 26 of the 1999 Act, of:
- (1) the salaries for the Mayor, Deputy Mayor, Chair of the Assembly and Assembly Members, subject to independent review by an appropriate organisation appointed for that purpose;
 - (2) the allowances to the Mayor and Assembly Members to reimburse the expenses incurred in the exercise of their functions;
 - (3) approving and implementing a scheme for the payment of pensions to or in respect of persons who have ceased to be the Mayor or an Assembly Member.
- B. To comply with:
- (1) section 24(8) of the GLA 1999 Act, a copy of every approved determination of salaries or allowances; and
 - (2) section 26(5) of the Act, a copy of every approved determination for the payment of pensions; and
 - (3) section 27 of the Act, a statement of the sums paid to the Mayor and each Assembly Member by way of salary, allowances and provision for pension in the preceding financial year

shall be published by the Chief Executive as soon as practicable thereafter by being posted on the Authority's website and the Executive Director of Secretariat shall maintain copies available for public inspection during normal office hours.

STANDING ORDER 12

STAFF STANDING ORDERS

12.1 CONDUCT AND DECLARATIONS OF INTERESTS OF GLA EMPLOYEES

Application: applies to the Authority.

- A. All staff of the Greater London Authority, whether appointed by the Mayor or by the Assembly, shall comply with the Staff Code of Ethics and Standards (as amended) and with any other requirement or guidance concerning their conduct approved from time to time by the Assembly or the Authority's Head of Paid Service, Monitoring Officer, Chief Financial Officer or by the Executive Director of Corporate Services.
- B. The Monitoring Officer shall keep a record of any particulars of any notice given by an employee of the Authority under the Staff Code of Ethics and Standards of any interest in any contract or matter involving the exercise of the functions of the Authority required to be declared by section 117 of the Local Government Act 1972 (as amended) and such records shall be open during normal office hours to inspection by the Mayor and any Assembly Member. The Monitoring Officer shall regularly report such declarations to the Standards Committee.
- C. The Monitoring Officer shall keep a record of the particulars of any gifts, hospitality or other benefits (financial or otherwise) that employees of the Authority are required to declare under the Staff Code of Ethics and Standards and shall regularly report them to the Standards Committee.

12.2 THE MAYOR'S STAFF APPOINTEES

Application: applies to the Authority.

- A. In accordance with his powers under section 67(1) of the GLA Act 1999 the Mayor may appoint:
- (1) two members of staff to be his/her political advisors, under section 67(1)(a) of that Act; and
 - (2) not more than ten other members of staff, under section 67(1)(b).
- B. The Mayor shall appoint the ten members of staff referred to in paragraph A(2) above on merit in accordance with section 67(6) of the GLA Act 1999. The Mayor shall involve an independent element in their appointment, in accordance with Standing Order 12.8 below (Independent Element in Senior Staff Appointments) and paragraph 18(4) of the GLA Code of Conduct.
- C. The Mayor's appointees under section 67(1) of the GLA Act 1999 shall not be required to do any work for the Assembly other than:
- (1) to attend every meeting of the Assembly which he/she is requested to attend; and
 - (2) to answer any question put to him/her by Assembly Members at any Assembly meeting^[1];
- D. Where the Mayor makes an appointment under section 67(1) of the GLA Act 1999, he/she shall report the following in writing to the Assembly or Staffing Committee (whichever meets first after the appointment is made) in accordance with section 67(5) of the GLA Act 1999:
- (1) the name of the person appointed;
 - (2) the post to which the person has been appointed; and
 - (3) the terms and conditions (including remuneration) on which the person has been appointed.

Notes and definitions

[1] The ten staff referred to in paragraph A(2) above are required to attend a Mayor's Question Time in accordance with section 70(4) of the Act and Standing Order 5.7 (Summoning staff to MQT) and the Assembly's powers under Section 61 (Attendance of witnesses and production of documents).

12.3 THE STAFFING COMMITTEE

Application: applies to the Assembly.

- A. The Assembly shall designate one of its committees for the purpose of this Standing Order 12.3 (to be known in this and other Standing Orders as “the Staffing Committee”) to which it shall delegate the exercise of its powers of staff appointment under section 67(2) of the GLA Act 1999 and its powers to determine terms and conditions of employment of staff so appointed, under section 70(2) of the Act as being within that committee’s approved terms of reference. (The Staffing Committee may be called by any title and may be combined with the committee required under Standing Order 9.4 (Business management)).
- B. Any procedure that is required by or under Standing Order 12 to be followed by the Staffing Committee shall apply to the Assembly, if the Assembly chooses to exercise its powers in relation to the matter, and it is reasonably practicable for a meeting of the Assembly to follow the procedure in question.
- C. At the first meeting in each Assembly year, and at other times if appropriate, the Staffing Committee shall receive a report detailing the extent of the Authority’s staff establishment as at that time, including any posts appointed by the Mayor under section 67(1) of that Act.

12.4 PRIOR CONSULTATION WITH MAYOR ON EXERCISE OF THE ASSEMBLY'S STAFF POWERS

Application: applies in relation to the Staffing Committee, and to the Head of Paid Service.

- A. The Mayor shall be consulted before the Assembly utilises its powers under sections 67(2) (staff appointment) or 70(2) (terms and conditions of service), but subject to paragraph C below.
- B. The Mayor's views shall be recorded and included in any report to the Staffing Committee when it considers any proposal (including any revised proposal) concerning the matters mentioned in paragraph A above.
- C. Where:
 - (1) a proposal concerns any of the Assembly's powers under section 67(2) or 70(2) which have been delegated by or under the Assembly's Scheme of Delegation, as approved under Standing Order 9.6; or
 - (2) once a post has been established following consultation with the Mayor

then the Staffing Committee or appropriate authorised officer under the Scheme of Delegation may implement the proposal or undertake the necessary recruitment procedures (and proceed to make the first appointment, or fill any subsequent vacancy) without undertaking any further consultation with the Mayor on the matter.

12.5 ASSEMBLY MEMBER INVOLVEMENT IN STAFF APPOINTMENTS

Application: applies to the Staffing Committee.

- A. The Staffing Committee may determine procedures for the recruitment of staff, including the involvement of Assembly Members in any such recruitment and the membership and chairing of interview panels.
- B. The Staffing Committee may delegate the appointment to a particular post, or any matter concerning terms and conditions of service, in accordance with existing or other procedures approved under paragraph C below on the following basis, that is to:
 - (1) the Executive Director of Corporate Services, or other named member of staff of Head of Service level or above;
 - (2) a panel of named Assembly Members appointed by the committee for the purpose, which is constituted as a subcommittee of the Staffing Committee (as such, the panel must be appointed on a politically proportionate basis (ie in accordance with section 15 of the Local Government Act 1989), unless the Assembly (and only the Assembly) decides otherwise by unanimity of votes cast in favour of such a proposal);
 - (3) an individual Assembly Member following consultation with the Executive Director of Corporate Services.
- C. All decisions taken under the arrangements described in paragraphs B(1) to (3) above must be undertaken in accordance with the terms of delegation as set out in the Assembly's Scheme of Delegation from time to time.
- D. If, when establishing a panel under paragraph B(2) above, it is not possible to identify the individual Assembly Members to serve on it, then the Staffing Committee may appoint panel members on the basis of later nomination by the relevant Political Groups' spokespersons on the Committee.

12.6 FILLING OF SENIOR MANAGEMENT VACANCIES

Application: applies to the Executive Director of Corporate Services and in relation to the Staffing Committee.

- A. Whenever a vacancy occurs in the Authority's senior management to a post that had been appointed under section 67(2) of the GLA Act 1999, the Executive Director of Corporate Services shall consult the Mayor about the vacancy and take a report to the Staffing Committee. The Staffing Committee shall decide (in the case of an office which the Authority is not required by statute to fill) whether the post is necessary; and, in any case, what the terms and conditions of the post shall be if it is to be filled. No steps shall be taken to fill the post until the Staffing Committee has so decided.
- B. For the purposes of paragraph A above, "senior management" refers to such posts as are designated as Head of Service and above, or equivalent.
- C. Paragraph A above is additionally subject to Standing Order 12.7 below (Statutory Procedure for Appointment of Chief Officers) where a Chief Officer within the meaning of that Standing Order is concerned.

12.7 STATUTORY PROCEDURE FOR APPOINTMENT OF CHIEF OFFICERS

Application: applies to the Authority.

- A. In accordance with their duties to do so under the Local Authorities (Standing Orders) Regulations 1993 (SI 1993/202), as amended by the Local Authorities (Standing Orders) (England) Regulations 2001 (SI 2001/3384), where the Authority acting:

- (1) by the Mayor under section 67(1) of the GLA Act 1999; or
- (2) by the Assembly under section 67(2)

proposes to appoint a Chief Officer (within the meaning of paragraph E below), and it is not proposed that the appointment be made exclusively from among existing members of staff, then the Executive Director of Corporate Services shall:

- a. draw up a statement specifying:
 - (i) the duties of the officer concerned; and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
- b. make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- c. make arrangements for a copy of the statement mentioned in paragraph a above to be sent to any person on request.

- B. Where a post has been advertised as provided by paragraph A(2) above, the Mayor or Staffing Committee (as the case may be) shall approve arrangements for:

- (1) the interviewing of all qualified applicants for the post; or
- (2) the selection of a shortlist of such qualified applicants and interview those included on the shortlist.

- C. Where no qualified person has applied, the Mayor or Staffing Committee, as the case may be, shall make further arrangements for advertisement in accordance with paragraph A above.

- D. Where paragraph 18 of the GLA Code of Conduct requires it, an independent element in the appointment process shall be included in accordance with the Code.

- E. In this Standing Order:

- (1) “Chief Officer” means the following in relation to the Authority:
 - a. its Head of Paid Service, designated under section 4(1) of the Local Government and Housing Act 1989;
 - b. its Monitoring Officer, designated under section 5(1) of the 1989 Act;

- c. its Chief Finance Officer, designated for the purpose of section 127 of the GLA Act 1999, being a relevant statutory Chief Officer mentioned in section 2(6)(d) of the Local Government and Housing Act 1989; or
- d. the Mayor's Chief of Staff and any other employee for whom the Head of Paid Service or the Mayor's Chief of Staff (or equivalent) is directly responsible, and who holds a post designated upon establishment as either "Executive Director" or "Director" or equivalent.

Notes and definitions

General: Under section 67(8) of the GLA Act 1999 the GLA must adopt Standing Orders with respect to staff, as required by section 8 of the Local Government and Housing Act 1989, applied to the GLA as if it were a "relevant authority" under section 8 of that Act. The Local Authorities (Standing Orders) Regulations 1993 (SI 1993/202), amended by the Local Authorities (Standing Orders) (England) Regulations 2001 (SI 2001/3384), in so far as they relate to staff, apply to the GLA. The procedures set out in paragraphs A to C follow the requirements of Regulation 2 and Schedule 1, Part 1 to the 1993 Regulations.

The definition of Chief Officer in paragraph E(1), with the exception of subparagraph d, follows the definition in Regulation 1(2) of the Local Authorities (Standing Orders) Regulations 1993, as amended. By Regulation 2 and paragraph 3 of Part II of Schedule 1 to the 1993 Regulations, the inclusion of a non-statutory Chief Officer (as in paragraph E(1)d) is not mandatory, and can be omitted as an authorised variation. However, its inclusion in this Standing Order makes it binding as regards the posts described in paragraph E(1)d.

12.8 INDEPENDENT ELEMENT IN SENIOR STAFF APPOINTMENTS

Application: applies to the Authority.

- A. When appointing senior members of staff under Standing Orders 12.6 and 12.7 above, in accordance with their duties under paragraph 18 of the GLA Code of Conduct to do so:
- (1) the Mayor, when utilising his powers of staff appointment under section 67(1)(b) of the GLA Act 1999; and
 - (2) the person/body making the appointment on behalf of the Assembly under its powers under section 67(2) of that Act
- shall include an Independent Element to ensure the integrity of the appointment process, in accordance with any guidance agreed by the Standards Committee.
- B. The Independent Element shall not have the power to veto the choice of the person proposed to be appointed.
- C. The Independent Element shall not have any link with the Mayor or the Assembly or any of the Functional Bodies that would call into question their independence or impartiality in undertaking their task, and shall have no interest in the outcome of the appointment process. The duties of the Independent Element may be limited to auditing the appointment process.
- D. If the Independent Element expresses any disagreement or dissatisfaction with a particular appointment or appointment process, the Executive Director of Corporate Services shall report this to the Standards Committee (or to its Chair where it is impractical to consult the Committee) on the Mayor's or the Assembly's behalf.

12.9 CANVASSING OF AND RECOMMENDATIONS BY THE MAYOR AND ASSEMBLY MEMBERS

Application: applies to the Authority.

- A. The direct or indirect canvassing of the Mayor or of any Assembly Member for any appointment under the Authority shall disqualify the candidate concerned from that appointment. A warning to this effect shall be included in every application form issued by the Authority.
- B. Assembly Members shall not solicit the appointment of any person to a post appointed by the Assembly under section 67(2) of the GLA Act 1999. However, this shall not preclude the Mayor or an Assembly Member from giving a written reference or testimonial in the approved manner as to a candidate's ability, experience, or character for submission to the body or member of staff making the appointment, provided that the referee shall not take part in the process for that particular appointment.

12.10 DISCIPLINARY ACTION AGAINST STATUTORY OFFICERS

Application: applies to the Head of Paid Service, Chief Finance Officer and Monitoring Officer.

- A. The Staff Code of Ethics shall set out the disciplinary procedure, involving a designated independent person, where disciplinary action is to be taken against the following Chief Officers:
 - (1) the officer designated as the Authority's Head of Paid Service under section 72 of the GLA Act 1999;
 - (2) its Chief Finance Officer appointed under section 127 of that Act;
 - (3) its Monitoring Officer designated under section 73.
- B. For the purposes of section 67(8) of the GLA Act 1999 (which requires the Authority to adopt Standing Orders with respect to staff in accordance with section 8 of the Local Government and Housing Act 1989) the procedure referred to in paragraph A above shall be incorporated into, and form part of, these Staff Standing Orders^[1].
- C. The procedure in the Staff Code of Ethics shall as a minimum follow that contained in the Local Authorities (Standing Orders) Regulations 1993 (SI 1993/202), as amended. In addition, it may provide for a preliminary investigation to be carried out by an appropriately senior officer for the sole purpose of establishing whether or not there is a case worthy of investigation.
- D. "Disciplinary action", in relation to a member of staff, means any action occasioned by alleged misconduct which, if proved, would, according to the usual practice of the Authority, be recorded on the member of staff's personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the Authority has undertaken to renew such a contract.
- E. The Designated Independent Person's report shall be made both to the Mayor and the Chair of the Staffing Committee, and shall be considered at a meeting of the Assembly (and only the Assembly).
- F. No disciplinary action in respect of the Head of Paid Service, Monitoring Officer or Chief Finance Officer (other than suspension for the purposes of investigating alleged misconduct, for a maximum of two months on full pay) may be taken other than in accordance with a recommendation in a report made by a designated Independent Person.
- G. The Designated Independent Person must be agreed between the Mayor and Assembly and the officer concerned or, in default, nominated by the Secretary of State.
- H. The Designated Independent Person may direct the Mayor and Assembly to:
 - (1) terminate the suspension of the officer (if any is imposed); or
 - (2) continue the suspension; or

- (3) vary the terms of the suspension; or
 - (4) take no steps until the report of the Designated Independent Person is received for consideration.
- I. The designated Independent Person may inspect documents relevant to the conduct of the officer under investigation, and may require officers of the Authority to answer questions in relation to the matter under investigation.
- J. The Designated Independent Person must report to the Mayor and Assembly stating whether the evidence supports the allegations. They may also recommend disciplinary action which appears to them to be appropriate.
- K. The Authority shall pay reasonable remuneration to the Designated Independent Person and any costs incurred by him/her in, or in connection with, the discharge of his/her functions under this Standing Order.

Notes and definitions

[1] Under section 67(8) of the GLA Act 1999 the GLA must adopt Standing Orders with respect to staff, as required by section 8 of the Local Government and Housing Act 1989, applied to the GLA as if it was a “relevant authority” under Section 8 of that Act. The Local Authorities (Standing Orders) Regulations 1993 (SI 1993/202) as amended, in so far as it relates to staff, applies to the GLA.