

**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 28 September 2020, following consultation with the Mayor of London, to take effect on 28 September 2020]

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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.

- 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<sup>[1]</sup>.
- B. A printed copy of these Standing Orders shall be given to the Mayor, to each Member of the Assembly and to the Independent Persons appointed under Section in accordance with Section 28(7) of the Localism Act 2011.
- C. 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).
- E. In accordance with section 36(2) of the GLA Act 1999, the procedures of the Assembly and those of any committees of the Assembly 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:

in accordance with section 36(3) of the GLA Act 1999, make provision for regulating the procedure to be followed by any Member of the Assembly by whom functions of the Authority are exercisable pursuant to arrangements under section 54 of that Act;

- (1) 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;
- (2) 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;
- (3) in accordance with section 36(7) of the GLA Act, make different provision for different circumstances.

*Changes to Standing Orders<sup>[2]</sup>*

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<sup>[2]</sup>*

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, the provisions of specific 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 11.4 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, or a subcommittee;
- (7) “Chair” means the Chair of the Assembly, or of a committee or subcommittee 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) “GLA Act” refers to the Greater London Authority Act 1999 (as amended by relevant legislation, including the GLA Act 2007);
- (10) “Mayor” means the Mayor of London;
- (11) “Member” includes (as relevant) co-opted members of advisory committees;
- (12) “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;
- (13) “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 ;
- (14) “Staffing Committee” refers to the committee designated from time to time by the Assembly as that committee for the purposes of Standing Order 11.5 below;
- (15) “in writing” includes emails and faxes except where specific requirements are applied in relation to petitions, motions etc;

- (16) 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;
- (17) 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;
- (18) reference to an Act of Parliament or a statutory instrument includes any subsequent amendment, repeal or revocation.
- (19) “Coronavirus Regulations 2020” refers to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392; which remain valid until 7 May 2021.

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 Legal Adviser to the Assembly 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 and Funding Code, 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.

In accordance with the Coronavirus Regulations 2020, the Assembly can delegate this function to vary standing orders, in consultation with the Mayor, for the period up until 7 May 2021.

[2] 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 and subcommittees.

- A. The Assembly and its committees shall hold their meetings in accordance with the Annual Timetable, agreed or varied from time to time by the London Assembly or its business management committee<sup>[1]</sup>, 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<sup>[2]</sup>, the Assembly shall hold a meeting to elect the Chair and Deputy Chair of the Assembly.
- C. Within 25 days<sup>[3]</sup> 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 will be held at City Hall, be open to the public<sup>[4]</sup> in accordance with section 100A of the Local Government Act 1972 and shall commence during normal office hours.

### Notes and definitions

[1] The GLA Oversight Committee has been designated as the committee for the purposes of Standing Order 11.4 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.

[4] The Coronavirus Regulations 2020 state that for the period up until 7 May 2021 “open to the public” includes access to the meeting being through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

### 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 and subcommittees.

- A. The business management committee will approve an annual timetable of meetings (“Annual Timetable”) for meetings of the Assembly and its committees for the forthcoming Assembly year, giving indicative dates and times for when meetings are to be held, subject to paragraph F below. The Assembly will then consider and confirm the Annual Timetable at its first meeting of the Assembly Year<sup>[1]</sup>.
- 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 and the Assembly Budget Meetings.
- 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, to ensure that at least 10 are held in that calendar year<sup>[2]</sup>;
  - (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 1<sup>st</sup> day of February<sup>[3]</sup> each year; and
    - another to consider the Mayor’s Final Draft Budget (“the Final Budget Meeting”) to be held before the end of February<sup>[3]</sup>;

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

- (4) other Assembly meetings ("plenary meetings") for the purpose of transacting such other general business as the Chair determines;
- (5) meetings of committees as and when required.

D. The detailed content and format of a meeting shall be for the Chair of the Assembly or 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, is subject to the provisions of Standing Order 1.7 and 1.8 below.

## **Notes and definitions**

[1] "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. The Coronavirus Regulations 2020 which remain in place until 7 May 2021, temporarily provide flexibility in relation to this

requirement and state MQT will be held “on up to ten occasions in each calendar year,” and additionally relax the requirement for 21 clear days between MQT meetings.

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

## 1.4 BUSINESS OF THE ANNUAL MEETING

**Application:** applies to the Assembly only.

- A. In a calendar year when an ordinary GLA election<sup>[1]</sup> 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<sup>[2]</sup>, 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), including:
    - the approval of the number of seats on each;
    - the approval of their terms of reference<sup>[3]</sup>;
    - 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;
    - 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;
  - (3) receive a report concerning the approval of the list of Substitute Members for committees in accordance with Standing Order 8.6;

- (4) consider and confirm the annual timetable of meetings ("Annual Timetable") for meetings of the Assembly and its committees for the forthcoming Assembly Year;
- (5) consider the Assembly's Scheme of Delegation, and (for noting only) the Mayor's Scheme of Delegation as are maintained under Standing Orders 11.8 and 11.9 below;
- (6) in accordance with Standing Order 8.4, make and/or confirm any appointments (including substitutes) to outside bodies;
- (7) agree any outstanding minutes of Assembly or committee meetings as a correct record <sup>[4]</sup>; and
- (8) any other business the Head of Paid Service<sup>[6]</sup> 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 1.10A 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. The Assembly may also vary from time to time the terms of reference of any of its committees, as may the business management committee in relation to such bodies with the exception of itself. The decision of the Assembly will prevail where the views of business management committee 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.

[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] It may prove necessary to vary the terms of reference of a committee during the Assembly Year and this may be done, in accordance with Standing Order 1.4(E).

[4] The Assembly, as the parent body, may approve the minutes of committee meetings. Members are not required to have been present at a meeting in order formally to approve the minutes of that meeting.

## **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<sup>[1]</sup>. Whenever the position of Chair is vacant then the Deputy Chair shall be the Assembly's acting Chair until that position is filled<sup>[2]</sup>.
- 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 Head of Paid Service, or his/her nominated officer, shall conduct the proceedings to elect the Chair and/or Deputy Chair<sup>[3]</sup>.
- 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<sup>[4]</sup>.

## **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.

[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 the office of Chair or Deputy Chair rather than simply expressing no confidence in the Chair or Deputy Chair.

## **1.6 APPOINTMENT OF CHAIRS AND DEPUTY CHAIRS OF ASSEMBLY COMMITTEES**

**Application:** applies to the Assembly in so far as it appoints committee Chairs and Deputy Chairs, and to committees and subcommittees if allowed to appoint their own Chairs.

- 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, unless the 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.
- 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. Advisory committees and their subcommittees<sup>[1]</sup> may have Chairs or Deputies who are not Assembly Members.

## **Notes and definitions**

[1] Under s55(3) of the GLA Act 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.

- A. The Chair of the Assembly may call an extraordinary meeting of the Assembly at any time, taking into account any requests received from Assembly Committees or requests received in accordance with Standing Order 1.8, below<sup>[1]</sup>.
- B. The Chair of a 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.
- C. 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.
- D. An extraordinary meeting called under this Standing Order 1.7 may only transact business included in the agenda accompanying the formal notice calling it.
- E. This Standing Order 1.8 does not apply to the calling of a Mayor's Question Time, which may not be called as an extraordinary meeting<sup>[2]</sup>.

### 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 Assembly or the business management committee under SO 1.3G.

[2] The GLA Act 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, and subcommittees.

### *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<sup>[1]</sup> 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<sup>[2]</sup> 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<sup>[3]</sup> 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) may be requisitioned if at least one half of its total Membership<sup>[4]</sup> 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 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<sup>[4]</sup> 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<sup>[5]</sup>.

**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 Standing Order 1.11A 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 1.10 below. Note that it is simply “days” under paragraph A but it is “working days” under paragraph C.

[4] Under Standing Order 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.

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

**General comment:** The Chair of the Assembly, or of a 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<sup>[1]</sup>

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

- 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<sup>[2]</sup>.
- B. All other meetings of the Assembly and of its committees shall be called by not less than 5 clear working days’ public notice<sup>[3]</sup> 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 chosen for an extraordinary meeting of the London Assembly 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] The Coronavirus Regulations 2020 provide for flexibility in the calling of meetings and notice of the alteration of meetings for the period up to 7 May 2021. 4(1)(b) “[may] Alter the frequency, move or cancel such meetings, without requirement for further notice.”

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

[3] 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.

- A. An urgent item of business (including an item added to the agenda) may only be considered without having been open to public inspection<sup>[1]</sup> for at least 5 clear working days<sup>[2]</sup> if (and only if):
  - (1) in accordance with section 100B(4B) of the Local Government Act 1972 the person presiding<sup>[3]</sup> 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<sup>[4]</sup>.
- 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] The Coronavirus Regulations 2020 state that "open to inspection" shall include for these and all other purposes as being published on the Authority's website and that "to be published, posted or made available at offices of the Authority" shall include publication on the website of the Authority.

[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] "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 may not necessarily be the permanent Chair of the body in question.

[4] 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 AND AGENDAS FOR MEETINGS**

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

- A. Every meeting of the Assembly and its committees 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)<sup>[1]</sup>. Notices will be deemed to be published on the day the notice is dated.
- C. The Executive Director of Secretariat shall arrange for copies of the notice calling a meeting 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. The agenda for a meeting shall include<sup>[2]</sup>:
  - (1) the time, date and location<sup>[3]</sup> of the meeting;
  - (2) 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<sup>[4]</sup>;
  - (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) 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.

E. 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<sup>[5]</sup>. (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 and will therefore be subject to the rules set out at Standing Order 1.10.)

F. 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.

G. Copies of the agenda, reports and the other items listed in paragraph D above shall (subject to paragraph D(3) above) be open for public inspection<sup>[6]</sup> by being:

- (1) published on the Authority's website; and

(2) available for collection by members of the press and public from the reception of the building at which the meeting is to take place<sup>[6]</sup> (subject to practical considerations such as the number of copies which can be reasonably produced).

I. 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 agendas, reports and other related documents unless they request them to be sent in electronic format, in addition to or instead of the hard copy, or agree with the Executive Director of Secretariat alternative arrangements for accessing the documentation<sup>[7]</sup>.

## **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] The Coronavirus Regulations 2020 state that ‘any reference to a ‘place’ where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web address or conference call telephone number.’

During the period up until 7 May 2021 when the Coronovarius Regulations 2020 apply, where the meeting is held virtually or is a hybrid meeting, the proper officer will give the requisite notice to the public of the time of the meeting, and the agenda, together with details of where the meeting will be webcast or live streamed.

[4] Any decision of the Executive Director of Secretariat to exclude from publication for the press and public all or part of a report on the basis that it contains exempt information is subject to confirmation or otherwise by the Assembly or relevant committee at the meeting.

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

[6] The Coronavirus Regulations 2020 state that “open to inspection” shall include for these and all other purposes as being published on the Authority’s website and that “to be published, posted or made available at offices of the Authority” shall include publication on the website of the Authority.

The Regulations further note that documents can be available for collection on the Authority’s website’ as an alternative until 7 May 2021.

[7]The provision of papers by electronic means includes any system where the Mayor and/or Member of the London Assembly has given consent for the agenda to be transmitted in electronic form to a particular electronic address. In accordance with the Coronavirus Regulations 2020, for the period up until 7 May 2021, electronic agendas only will be circulated.

## 1.12 CHAIR'S POWERS CONCERNING THE AGENDA

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

- 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 statutory officers<sup>(1)</sup> requiring that the published agenda for the meeting is to include a particular item of business, or particular content in a report, if pursuant to the discharge of their statutory functions;
  - (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, in addition, may also be excluded from the printed agenda. The Chair shall contact the Member(s) who submitted the question, motion, report or amendment as soon as practicable giving reasons for his/her decision.

### Notes and definitions

- [1] The officer designated as the Authority's Head of Paid Service under section 72 of the GLA Act; the Chief Finance Officer appointed under section 127 of the Act; and the Monitoring Officer designated under section 73 of the Act.

## **1.13 CANCELLING MEETINGS AFTER THE FORMAL NOTICE HAS BEEN PUBLISHED**

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

- 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<sup>[1][2]</sup>.
- 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<sup>[3]</sup>.
- 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 Coronavirus Regulations 2020 state that:

*"4.—(1) In respect of a reference in any enactment to a meeting of a local authority, that authority may, as they may determine— (a) hold such meetings and at such hour and on such days; and (b) alter the frequency, move or cancel such meetings, without requirement for further notice."*

[3] The agendas for scrutiny review meetings are often fluid and, in order to avoid convening meetings at which no invited guests are able to attend nor substantive business is programmed, these meetings may be postponed or cancelled if the Chair agrees. This does not apply where guests have been summonsed to attend a meeting.

## 1.14 MINUTES OF MEETINGS

**Application:** applies to the Assembly and its committees.

- A. The Executive Director of Secretariat shall keep minutes of the proceedings of all meetings of the Assembly and its committees in such form as he/she determines from time to time<sup>[1]</sup>.
- 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 the “next suitable meeting” is that meeting in respect of which the minutes to be approved were available to be published with the agenda<sup>[2]</sup>.
- 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<sup>[3]</sup>.
- 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 clarity, 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 allows Standing Orders to state what is to be regarded as the next suitable meeting. Paragraph B, above, sets out a definition of ‘next suitable meeting’ in this context.

[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.

## **1.15 COMMUNICATIONS CONCERNING ASSEMBLY BUSINESS**

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

- 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, documentation and other correspondence sent to the Assembly or to a committee by the Mayor, Assembly Members or other persons, in relation to the business of the Assembly or the relevant committee, 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.

- A. The Chair of the Assembly, or of a committee, will preside over and chair all meetings of that body (including any requisitioned under Standing Order 1.9). The Chair of the Assembly shall preside over Mayor's Question Times<sup>[1]</sup>.
- B. If the Chair is absent then the Deputy Chair<sup>[2]</sup> (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.

#### **Notes and definitions**

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

[2] In paragraphs B to F "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.

## 2.2 THE CHAIR'S GENERAL DUTIES

**Application:** applies to the Assembly and its committees.

- A. The Chair's<sup>[1]</sup> general duties<sup>[2]</sup> 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;
  - (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 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 Standing Order 1.12 (Chair's Powers concerning the Agenda) and Standing Order 11.2 (Standing Delegation to Chairs).

## 2.3 QUESTIONS TO THE CHAIR

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

- A. Any Member may ask the Chair of the Assembly, or of a 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.

- 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<sup>[1]</sup>, the quorum is half of the number of Assembly Members; and
  - (2) in the case of other committees, of five Members or more, the quorum is such number as is not less than one half of its total membership (including co-opted members) and in the case of committees of five Members the quorum shall be three.
  - (3) In the case of committees of four or less the quorum shall be two.
- 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<sup>[2]</sup> 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<sup>[3]</sup> 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<sup>[4]</sup>, 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] “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.

[3] For the period up until 7 May 2021, the Coronavirus Regulations 2020 state that:

*“A Member in remote attendance is present and attends the meeting, including for the purposes of the meeting’s quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:*

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other Members in attendance.*
- (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and*

(iii) *to be so heard and, where practicable, be seen by any other members of the public attending the meeting.”*

In the event of any apparent failure of the video conferencing connection, the Chair will immediately determine if the meeting is still quorate.

[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.

The Assembly has decided that a quorum would not usually be less than three (other than for four Member committees), as otherwise the Chair’s casting vote would potentially determine every item of business (the Chairs of local authority committees and sub-committees have a casting vote in statute LGA 1972, SCG12 para 39(2)). Given that the ability of Chairs of local authority committees and sub-committees to exercise a casting vote is set out in statute, it is not possible for Standing Orders to fetter that ability. However, the Assembly has agreed informally that, in the event that only two Members are able to attend a meeting of a four Member committee, whilst the meeting may go ahead, the Chair will not use his casting vote to determine any business before the committee. 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.

- A. All questions and other matters coming before, or to be decided by, the Assembly, or by a committee, shall be decided by a simple majority of its members present and voting<sup>[1]</sup>. (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 or some other enactment requires a different basis for the taking of the decision<sup>[2]</sup>.
- C. Paragraphs A and B may not be suspended under Standing Order 1.11<sup>[3]</sup>

### 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: 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 Standing Order 2.6 is added to in accordance with SO 6.6E.

- A. Every Member of the Assembly, or of a committee, may cast one vote if a vote is called<sup>[1]</sup>.
- 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)<sup>[2]</sup>.
- C. The mode of voting will be by show of hands other than where the provisions of Standing Order 2.7A are invoked<sup>[2][3]</sup>.
- D. If a motion or recommendation (including as amended), or amendment, 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<sup>[4]</sup>.
- 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 1.11 so as to deny any Member their vote or the Chair his/her casting or second vote<sup>[5]</sup>.

### Notes and definitions

[1] The Chair's second or casting vote is a statutory requirement (s53(2) of the GLA Act 1999) and may not be suspended.

[2] 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.

[3] For virtual or hybrid meetings, unless a recorded vote is required or requested, Members will be asked to indicate their views by turning on their mic and speaking. If there is not a general consensus, or if it is not clear whether there is a general consensus/whether there are any objections, the Chair will take a recorded vote.

[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) of the GLA Act 1999 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.

- 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.<sup>[1]</sup> The Chair shall ask each member present in turn, in alphabetical order of name (but with the Deputy Chair and the Chair being called last), to declare how they wish to cast their vote (for or against) or whether they wish to abstain from voting.
- B. At Assembly, committee and subcommittee meetings 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.

### Notes and definitions

- [1] At a virtual or hybrid meeting, where there is not unanimity or if it is not clear whether there is unanimity, the Chair will call a recorded vote. Each Member of the committee/Assembly Members present will be asked in turn, in alphabetical order of name (but with the Deputy Chair and the Chair being called last), to declare how they wish to cast their vote (for or against) or whether they wish to abstain from voting.

## 2.8 PUBLIC ATTENDANCE AT MEETINGS

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

- 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, under section 100A(4) of the Local Government Act 1972 (exempt information items<sup>[1]</sup>) or by section 100A(2) of that Act (confidential information items<sup>[2]</sup>).
- 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<sup>[3]</sup>.
- D. In accordance with the relevant statutory framework<sup>[4]</sup>, members of the press and public may, during parts of meetings that are open to the public:
  - (1) Film, photograph or make sound recordings of proceedings at a meeting of the London Assembly, its committees and sub-committees;
  - (2) Use other means for enabling persons not present at such a meeting to see or hear proceedings at the meeting, as it takes place or later;
  - (3) In writing only report or provide commentary on the proceedings at such a meeting, so that the report or commentary is available, as the meeting takes place or later, to persons not present at the meeting;

(4) By exception and subject to the prior approval of the Chair of the meeting, make an oral report or commentary on the proceedings at a meeting.

E. 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 section 100I and Parts I - III 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.

[3] Under the Coronavirus Regulations 2020, "open to the public" includes access to the meeting being through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

[4] The statutory framework relating to filming, recording and reporting of local authority meetings is included in the Openness of Local Government Bodies Regulations 2014.

**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<sup>[1]</sup>, 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 and subcommittees.

- A. The Mayor, Assembly Members and co-opted members of committees 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<sup>[1]</sup>.
- 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 3(1) of the Code. A copy is contained in the Rule Book.

## 2.11 DISPLAY OF BANNERS ETC

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

- 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<sup>[1]</sup> 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 and subcommittees.

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;

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<sup>[1]</sup> 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. If, in the opinion of the Chair, having taken advice from the Executive Director of Secretariat and/or Executive Director of Resources and/or their representative(s), it is clear that the disruption by members of the public is so significant that the safety of Members and/or GLA officers would be at risk and/or that it would not be possible to reconvene the meeting in its original location within 5 minutes of the adjournment, then the Chair has the authority to:

- (1) adjourn the meeting and direct all other Members present, and the Mayor (if present) and/or any guests (if present), immediately to vacate the Chamber/meeting room, indicating

(where possible) an alternative location where Members and relevant others should gather in the interim;

(2) direct officers to find a suitable venue for the meeting to be reconvened as soon as is practicable, taking into account safety and room availability issues and the views of Members present, and, if then practically possible, to propose to Members and relevant others a time and venue for the meeting to be reconvened;

(3) for reasons of safety (of Members, the Mayor, guests, officers and other persons in the building), direct that the proposed venue of a meeting that is to be reconvened in accordance with paragraph 3(2) shall not be disclosed to the public or press, by any means, until the Chair has confirmed that the venue details can be made available more generally, including to the public and press.

D. Where a meeting is reconvened in accordance with paragraph 3(2) above, the Chair shall, before returning to the business on the agenda for the meeting that was being conducted at the time of the adjournment and as an item of urgent business, ask the meeting formally to approve the reconvening of the meeting in the alternative venue. Officers shall issue public notice of the reconvened meeting as soon as is practicable.

E. Members may, at the point of being asked to give approval to a reconvened meeting in an alternative location, raise points of order as necessary. However, and in accordance with Standing Order 2.2B, the Chair's ruling on any matter of order or procedure under this Standing Order 2.12 shall be final.

### **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 and subcommittees.

- A. Apart from the drinking water provided, hot beverages may only be consumed in the Chamber by Assembly Members and invited guests when consumed in plain, non branded mugs or plain cups or glasses only.
- B. Members of the public shall not be allowed to consume drinks in the Chamber.
- C. No food shall be consumed in the Chamber.

## **2.14 DISCUSSION OF MATTERS AFFECTING INDIVIDUAL MEMBERS OF STAFF**

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

A. As a general principle, there is a presumption that 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 Unit level and above<sup>[1]</sup>;

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, and subject to the particular facts relating to the discussion, and subject to advice from the Monitoring Officer and the Executive Director of Secretariat or their representatives where necessary.

B. The information referred to above is:

- (1) facts and matters relating to ongoing disciplinary, appeal, grievance or legal proceedings concerning any individually identifiable member of GLA staff (current or former)<sup>[2]</sup>;
- (2) the details of the private or personal life of any individually identifiable member of GLA staff that are not in the public domain and are unrelated to the individual's work at the GLA;
- (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)<sup>[3]</sup>; or

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<sup>[4]</sup> to that Act (information relating to individuals).

## **Notes and definitions**

[1] There is a presumption that information about the posts (but not the post holders) of Head of Unit 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. However, this is subject to the particular facts relating to the discussion, and subject to advice from the Monitoring Officer, and the Executive Director of Secretariat or their representatives where necessary.

[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) or (2) 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).

- 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<sup>[1]</sup>) to attend Assembly meetings.
- 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<sup>[2]</sup>.
- 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 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.

[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, its committees and subcommittees.

- 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 Executive Director of Resources or the Authority's legal advisers otherwise agree<sup>[1]</sup>. (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<sup>[2]</sup>, 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)<sup>[3]</sup><sup>[4]</sup>.

#### **Notes and definitions**

[1] The Authority's legal advisers are:

- (i) Transport for London legal advisers providing legal advice to the GLA pursuant to the Instrument of Delegation which took effect on 14 December 2009.
- (ii) The Legal Adviser to the London Assembly.

[2] In paragraphs A and C "Formal Budget Amendments" and "Budget Related Motions" above are as defined in Standing Order 6 (Assembly Budget Meetings).

[3] 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.

[4] 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 Standing Order 6.6A(2).

### 3.3 MOTIONS

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

- 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 12 noon on the sixth clear working day prior to the meeting 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.
- 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<sup>[1]</sup>.
- 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<sup>[2]</sup> to 4.5 inclusive, modified accordingly.

### **Notes and definitions**

[1] 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.

[2] Standing Order 4.1F, which sets out rules for movers' rights to reply, reservation of speeches etc, does not apply at committee meetings.

[3] Standing Orders 3.19 and 3.22 set out the specific rules in relation to moving a motion to reject a draft Strategy and to reject the Mayor's designation of a Mayoral development area.

### 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 and subcommittees; but Standing Order 3.4 (in whole) is suspended in relation to Formal Budget Amendments, and paragraph F below (only) is suspended in relation to Budget Related Motions, at the Assembly Budget Meetings in accordance with Standing Order 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 3.3<sup>[1]</sup> 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<sup>[2]</sup>.

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 and subcommittees; but paragraphs A, B and C below are suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments in accordance with Standing Order 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, B and C above concerning the permitted scope of amendments are suspended in their

entirety in relation to Formal Budget Amendments. See Standing Order 6.6A(2).

### **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 and subcommittees; but Standing Order 3.6 (in whole) is suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with Standing Order 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 Standing Order 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 and subcommittees.

- 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 and subcommittees and; but Standing Order 3.8 (in whole) is suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with Standing Order 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 Standing Order 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 and subcommittees; but Standing Order 3.9 (in whole) is suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with Standing Order 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 Standing Order 6.6A(2).]

### **3.10 EFFECT OF SUCCESSFUL AMENDMENT**

**Application:** applies to the Assembly, its committees and subcommittees; but Standing Order 3.10 (in whole) is suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with Standing Order 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 Standing Order 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.

- 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 Standing Order 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<sup>[1]</sup> <sup>[2]</sup>, in which case paragraph B below shall apply.
- B. If (and only if) the Chair of the meeting<sup>[3]</sup>, 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). “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 may not necessarily be the permanent Chair of the body in question.

**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 Standing Order 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, and to subcommittees. The whole of Standing Order 3.13 is suspended at the Assembly Budget Meetings in relation to Formal Budget Amendments and Budget Related Motions in accordance with Standing Order 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 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 Standing Order 6.6A(2).]

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

**Application:** applies to committees, 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<sup>[1]</sup>.
- 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 and subcommittees.

- A. Where the purpose or effect of a proposal is to reverse a previous decision or resolution of that body<sup>[1]</sup> <sup>[2]</sup> 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, 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. Paragraph E 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 Standing Order 1.12B.

### **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 and subcommittees.

- A. Only the Assembly<sup>[1]</sup> 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<sup>[2]</sup>) or following a recommendation to do so from a committee.
- D. A committee or subcommittee 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 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, or to advisory committees or subcommittees.

- A. The Assembly and, pursuant to Standing Order 11.1, every ordinary committee may exercise such of the powers under section 61(1)(a) or (b) of the GLA Act as they consider appropriate in the circumstances to require any person to whom sections 61(2) to (5)<sup>[2]</sup> 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.
- B. 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<sup>[1]</sup>.

#### **Notes and definitions**

[1] Section 62(1) of the GLA Act 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 11.1, which is confirmed by paragraph D of that standing order, authorises every ordinary committee to exercise the Assembly's powers under s61(1). 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 eight 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 eight 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 eight 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 eight 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 eight 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 eight 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 eight 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 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 the committee designated under Standing Order 11.4 can impose a requirement to attend or produce documents in relation to their own business and future meetings.

### **3.19 ASSEMBLY CONSULTATION ON THE MAYOR'S STRATEGIES AND THE ASSEMBLY'S POWER TO REJECT**

**Application:** applies to the Assembly.

- A. In accordance with section 42(1) of the GLA Act, the Mayor is required to consult the Assembly when preparing or revising all those strategies listed at section 41 of the Act. Before publishing a strategy (or, in the case of the housing strategy, before submitting the draft to the Secretary of State) the Mayor must lay a copy of the draft strategy before the Assembly by submitting a paper copy of the draft strategy to the Chair of the London Assembly (copied to the Executive Director of Secretariat) [1].
- B. The Mayor should submit a draft strategy to the Assembly in accordance with Standing Order this 3.19 by not less than midday on the day that is six clear working days in advance of the relevant Assembly or committee meeting.
- C. Noting that only the London Assembly itself may properly exercise the power to reject a strategy (as provided for at (F) below), the Assembly, or any relevant ordinary Committee of the Assembly to which the necessary authority has been granted by the Assembly (either through its terms of reference or otherwise through a formal decision), may provide a response to a consultation referred to in Paragraph A above.
- D. The Mayor must not publish any final strategy that is relevant to this Standing Order (or, in the case of the housing strategy, submit the draft to the Secretary of State) if, within the period of twenty-one days beginning with the day on which the copy is provided to the Assembly in accordance with Standing Order 3.19B above, the Assembly resolves formally to reject the draft.
- E. Any motion for the Assembly to reject a draft strategy must be considered at a meeting of the Assembly throughout which members of the public are entitled to be present.
- F. If the Assembly votes by at least two-thirds of the Members present and voting, for the following motion:

*The Assembly hereby resolves to reject Mayor's draft xxxx strategy*

the Mayor must not publish that strategy (or, in the case of the housing strategy, submit the draft to the Secretary of State), other than by way of providing a further revised version of that document to the Assembly.

- G. The motion set out at (F) above may be moved by the Chair of the Assembly as part of the formal agenda for the relevant meeting of the London Assembly or, without notice, by any Member at a meeting of the London Assembly at which a draft strategy is considered. Standing Orders 3.3(A) and 3.12 shall be suspended in relation to such motions. However, the remaining rules set out at Standing Orders 3.3 to 3.15 in relation to the consideration of motions shall apply in the usual way. The motion, if moved, must be seconded prior to its consideration.
- H. The Assembly may, during the debate, agree to amend the text of the original motion (as set out in paragraph F above) to include its reasons for passing the motion and any other relevant commentary that it wishes the Mayor to consider.
- I. Where more than one discrete set of Alterations to the London Plan (only) are simultaneously laid before the Assembly for consideration, the Assembly may reject, subject to the requisite majority of Members present and voting, one or more of the sets of proposed Alterations to the London Plan but also may not reject one or more of the other sets of proposed Alterations to the London Plan that are presented to it for consideration. A motion to reject shall identify the Alteration(s) to which it applies and, if passed by the requisite majority of Members present and voting, shall only have effect to reject that Alteration(s).
- J. Where one or more sets of proposed Alterations to the London Plan have not been rejected by the London Assembly under the procedure set out at paragraph I above, the Mayor is able to proceed to publish the revised London Plan in accordance with the relevant legislation and procedures.

### **Notes and definitions**

[1] This Standing Order applies where the Mayor has prepared, and is ready to publish, a draft of any of the strategies to which section 41 of the GLA Act applies (including a revised version of the strategy), but not to a revised version of a strategy containing only revisions which (a) are

specified in a direction as to the contents of the strategy which is given to the Mayor under this Act (or which the Mayor considers are necessary in consequence of any revisions so specified); or are not so specified but the Mayor considers to be necessary to comply with such a direction (section 42B(1) and (2)).

[2] As required by section 42B(5). Abstentions do not count as a vote against, and so are excluded from the calculation of the two-thirds majority.

### **3.20 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 (which may be printed or be in the form of a signature, provided that the signature is legible) and address (sufficient that the person and their address can be identified) 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.
  - (6) Young people aged 17 or under signing a petition may give their address as that of the school, or other recognised youth group or similar organisation that they attend (with details of

their class name where appropriate), provided that the lead petitioner is a teacher at or leader of that school or youth group or similar organisation.

- 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."*

### **3.21 PRESENTATION OF PETITIONS TO THE ASSEMBLY**

**Application:** applies to the Assembly only.

- A. An Assembly Member presenting a petition accepted under Standing Order 3.20 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 reported to the next appropriate Assembly meeting.

### **3.22 ASSEMBLY CONSULTATION ON THE DESIGNATION OF A MAYORAL DEVELOPMENT AREA AND THE ASSEMBLY'S POWER TO REJECT**

**Application:** applies to the Assembly.

- A. In accordance with section 197 of the Localism Act, the Assembly will consider any proposals to designate a Mayoral Development Area in two stages.
- B. Under section 197(3) of the Localism Act 2011, the Mayor is first required to consult the Assembly on any proposals to designate a Mayoral Development Area. The Mayor must lay a copy of the consultation document before the Assembly by submitting a paper copy of the document to the Chair of the London Assembly (copied to the Executive Director of Secretariat).
- C. The Mayor should submit a document containing any proposal to designate an area as a Mayoral Development Area by not later than midday on the day that is six clear working days in advance of a relevant Assembly meeting.
- D. The Assembly may provide a response to the consultation referred to in A above and the Mayor must have regard to any comments made. The Mayor shall write to the Chair of the London Assembly giving reasons for any relevant matters on which the comments from the Assembly are not accepted.
- E. The Mayor shall then submit a document containing details of the final proposals to designate an area as a Mayoral Development Area by not later than midday on the day that is six clear working days in advance of a relevant Assembly meeting.
- F. If, within the period of twenty one days beginning with the day on which the proposals are provided to the Assembly in accordance with E above, the Assembly votes by at least two-thirds of the Members present and voting<sup>[1]</sup> for the following motion:

*“The Assembly hereby resolves to reject the Mayor’s designation of xxx as a Mayoral development area.”*

the Mayor may not designate that area a Mayoral Development Area<sup>[2]</sup>.

- G. The motion set out at F above may be moved without notice by any Member at a meeting at which the Proposal is considered. Standing Orders 3.3(A) and 3.12 shall be suspended in relation to such motions. However, the remaining rules set out at Standing Orders 3.3 to 3.15 in relation to the consideration of motions shall apply in the usual way. The motion, if moved, must be seconded prior to its consideration.
- H. The Mayor must consult the Assembly before altering the boundaries of a Mayoral Development Area so as to exclude any area of land.

### **Notes and definitions**

[1] As required by section 197(5)(b) of the Localism Act 2011. Abstentions do not count as a vote against, and so are excluded from the calculation of the two-thirds majority.

[2] The Mayor is able to submit further proposals for the designation of an area as he deems necessary and that the same procedure as set out in this Standing Order applies.

## STANDING ORDER 4

### RULES FOR THE DEBATE

#### 4.1 SPEECHES

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

- 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).

- 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 and subcommittees.

- A. Subject to B and D below, at Assembly meetings Members' speeches, including when moving a motion, shall not exceed 5 minutes.
- B. The proposer of a Formal Budget Amendment and/or a Budget Related Motion shall not exceed 10 minutes.
- C. At 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. The Mayor's speeches shall not exceed 5 minutes in length. This paragraph E does not apply to the Assembly Budget Meetings or to a Mayor's Question Time<sup>[1]</sup>.

### Notes and definitions

- [1] For the avoidance of doubt, Paragraph E does not apply at the Assembly Budget Meetings, where the Mayor's speech is governed by Standing Orders 6.3D and 6.4C or 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 and subcommittees.

- 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 C below.
- B. Subject to 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<sup>[1]</sup>;
  - (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 and subcommittees.

- 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 and subcommittees.

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 be now put to a vote";*
- *"that the debate be now 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<sup>[1]</sup> 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 BE NOW 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<sup>[1]</sup> 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<sup>[1]</sup> 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.

### **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.

## **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<sup>[1]</sup> 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<sup>[1]</sup> 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 Head of Paid Service 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.

The Coronavirus Regulations 2020 temporarily provide greater flexibility in relation to the number and frequency of MQT meetings required. They set out that MQTs shall take place “on up to ten occasions in each calendar year as the Assembly may determine following consultation with the Mayor.” and additionally relax the requirement for 14 days notice of and 21 days between MQT meetings.

### 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<sup>[1]</sup> 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 5 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. Where a question or supplementary question is substantially the same as a priority question listed on the order paper for the meeting, the Chair may rule that it be raised later in the meeting, when the answer to that priority question is given.
- 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 must relate to one 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, by the Mayor and Assembly acting jointly or by the Head of Paid Service;
  - (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; or
  - (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. In order for a question falling within the scope of A(6) above to be valid, it must also clearly relate to one of the categories at A(1) to A(5).
- C. Any supplementary questions asked by Assembly Members must be relevant to the original question asked.
- D. 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 seventh 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)<sup>[1]</sup> 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 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 Head of Paid Service 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 Head of Paid Service'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 those persons 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, prior to or at the meeting, 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 may also, upon advice, 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 minutesshall 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<sup>[1]</sup>.
- 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<sup>[1]</sup>, 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 5.9D 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.

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## **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 only.

- 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<sup>1</sup>.
- 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 of Schedule 6, and to the Consolidated Budget Requirement determined by the Assembly for the Authority in accordance with paragraph 7 of Schedule 6.
- E. Where the Draft Consolidated Budget and / or the Final Draft Budget do not comply with the "Relevant Principles"<sup>2</sup> then the procedures set out in Schedule 6 of the GLA Act 1999 as inserted by paragraph 137 of Schedule 6 of the Localism Act 2011 will apply. In such circumstances whether a substitute budget is being prepared by the Mayor or the Assembly due to a failure to comply with the

Relevant Provisions, Standing Order 6.5 will apply. The other Budget Standing Orders of this Budget Standing Order 6 will also apply, in the absence of any relevant or contrary provisions enacted by paragraph 137 of schedule 6 of the Localism Act.

## **Notes**

- [1] All references to the GLA Act 1999 within this Standing Order 6 are taken to refer to the GLA Act 1999 as amended by the GLA Act 2007 and the Localism Act 2011 in relation to the Authority's statutory budget setting process.
- [2] The "relevant principles", in relation to a budget or a council tax requirement for a financial year, means the principles approved by the House of Commons for the financial year under section 52ZD of the Local Government Finance Act 1992 (principles in connection with council tax referendums). Whether or not a budget or council tax requirement for a financial year complies with the relevant principles is to be determined by reference to whether or not the amount that would be calculated for the year under section 88 or 89 above (calculation of basic amount of council tax) by reference to the budget or council tax requirement is excessive by reference to the relevant principles.

## 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 as defined in paragraph 3 of Schedule 6 of the Act (including the consolidated council tax requirement, component budgets and component council tax requirements set out within it) or the Final Draft Budget as defined in paragraph 6 (1) of Schedule 6 of the Act 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 Standing Order 6.3 or the Final Budget Meeting held under Standing Order 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 Assembly, the Mayor or one of 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<sup>[1]</sup>;
- "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;
- "Substantive Motion" means (as appropriate) the motions referred to in paragraphs 6.7C and 6.8D 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 1<sup>st</sup> day of February each year<sup>[1]</sup>.
- B. 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). The Assembly is required to hold this meeting on or before the 1<sup>st</sup> day of February each year. Where the Mayor is unable to provide the Draft Consolidated Budget in time for it to be published with the agenda for that meeting, he will write to the Chair of the Assembly to confirm the date on which it will be provided<sup>[2]</sup>.
- 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. The Mayor may speak for up to 10 minutes.
- 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 agenda for a meeting must be published 5 clear working days' before the meeting - see Standing Order 1.9

## 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<sup>[1]</sup>.
- 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 revised 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. The Mayor may speak for up to 10 minutes.
- 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 (following consultation with the Mayor and Leaders of the Political Groups.)
- E. The Assembly may, at any time prior to the determination of the final consolidated council tax requirement for the GLA Group, hold one or more Assembly Budget Meetings, to consider and agree amendments relating to the Assembly's component budget and component council tax requirement, by the requisite majority of Assembly Members. Such a meeting would not be the formal Draft Budget or Final Draft Budget meeting but the proceedings would be governed by this Standing Order 6 as if it were a Final Draft Budget meeting. The Assembly would then proceed to hold its formal Final Draft Budget meeting to consider the draft consolidated budget (revised as necessary following initial consideration of the Assembly's final draft component budget/council tax requirement).

### Notes and definitions

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

## **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), and any statements that are due to be laid before the Assembly in accordance with Standing Orders 6.17A (2) or (4) for the purposes of its being despatched to Assembly Members for their consideration at a public meeting of the Assembly<sup>[1]</sup> (the Budget Meetings).
- B. In order to comply with section 100B(3) of the Local Government Act 1972<sup>[2]</sup> the budget and any accompanying report must be available for inspection by the public<sup>[3]</sup> 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<sup>[4]</sup>.
- D. In the event of the Mayor seeking to present amendments directly after the meeting opens, the Chair should allow these to be presented to the meeting, provided that, in the opinion of the Chair the amendments are presented and explained in writing and in sufficient detail, which shall include clear information as to the implications of the amendments for the remainder of the budget proposals, to allow the Assembly properly to consider them.<sup>[5]</sup>

### **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] The Coronavirus Regulations 2020 note that “open to inspection” shall include for these and all other purposes as being published on the website of the authority;

[4] 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.

[5] 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<br>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 E(1) below)  |
| 2.6 paragraph D only<br>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 E(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)<br>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<br>Previously rejected motions/amendments to bear 7 signatures etc | Suspended for Budget Related Motions   |
| 3.5 paragraphs A, B and C<br>Scope of amendments  | Suspended for Formal Budget Amendments   |

|   |   |
|---|---|
| 3.6 (in whole)<br>Alteration and withdrawal<br>of motion/amendments   | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.8 (in whole)<br>Order of debating amendments  | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.9 (in whole)<br>Bar on consecutive amendments with same effect  | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.10 (in whole)<br>Effect of successful amendment   | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.12 paragraph B only<br>Assembly to consent to considering urgent motions  | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.13 (in whole)<br>Referral of motions within a committee's remit   | Suspended for Formal Budget Amendments and Budget Related Motions |
| 3.16 (in whole)<br>Reversal of previous meetings' decisions and motions   | Suspended for Formal Budget Amendments and Budget Related Motions |
| 4.2 (in part)<br>Length of speeches   | Suspended for formal budget amendments (see SO 6.6D)              |
| <p>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.</p> |   |

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 B (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 (but with the Deputy Chair and the Chair being called last), to declare how they wish to cast their vote (for or against) or whether they wish to abstain<sup>[1]</sup>;
- (2) not to permit separate votes to be taken on the value of the individual / aggregate 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); (see footnote 2) 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 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;
- (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<sup>[3]</sup>.

## **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 council tax requirement

[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<sup>[1]</sup>.
- 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<sup>[2]</sup>:

*"To approve the Draft Consolidated Budget for [Financial Year], together with the draft component budgets comprised within it, with or 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 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.
- E. If a Formal Budget Amendment is carried by the requisite majority<sup>[3]</sup> then the Substantive Motion shall fall and the Draft Consolidated Budget shall be deemed agreed as amended.

### Notes and definitions

[1] Under paragraph 5(3) 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<sup>[1]</sup>.
- 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<sup>[2]</sup>:

*"To approve the Final Draft Budget for [Financial Year] with or 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 the Final Draft Budget is amended in accordance with such Formal Budget Amendment (if any) as prevails in accordance with those procedures.
- F. If a Formal Budget Amendment is carried by the requisite majority then the Substantive Motion shall fall and the Final Draft Budget shall be deemed agreed 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.

## **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<sup>[1]</sup>, 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<sup>[2]</sup>.

### **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 Orderwhich 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. If in the opinion of the Chair, after consultation with the Executive Director of Secretariat, any Formal Budget Amendment or Budget Related

Motion 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.

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 seek 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<sup>[1]</sup> 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 council tax requirement, and the Authority’s consolidated council tax 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<sup>[2]</sup>.

*Formal Budget Amendment Reports*

G. If a report is used formally to seek 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 A 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 council tax requirement, and the Authority's consolidated council tax 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 6.16 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.
- K. The Chair may adjourn the meeting, stating when and where it will reconvene, if it is deemed necessary to amend the outstanding documentation (such as remaining Formal Budget Amendments) to reflect any updated budget figures following the approval of a Formal Budget Amendment.
- L. In accordance with Standing Order 6.12M 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.

*Bar on amendments or motions negativing or reversing earlier carried motions and amendments*

- M. No 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<sup>[1]</sup>.
- B. Amendments to the Final Draft Budget shall require a two-thirds majority of Members voting in favour of a Formal Budget Amendment to pass an amended Final Draft Budget<sup>[2]</sup>.
- C. The Draft Consolidated Budget and Final Draft Budget (as appropriate) may be approved without amendment by a simple majority of Members.
- 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<sup>[1]</sup>.

### **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 O 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 council tax 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 Resources; 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) and in accordance with any decision taken under Standing Order 6.4E.
- 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 Budget Related Motions;
- (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 the special procedural motion under Standing Order 6.120 below (if proposed and seconded);
- (5) then, last, the Substantive Motion.

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 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 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 his or her seconder gives 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. A Member may then move, with a seconder, the following special procedural motion:

*"That an indicative named vote be taken on each Constituent Body's final component council tax requirement (as amended)."<sup>[1]</sup>*

*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<sup>1</sup>) considers appropriate in the circumstances, but in so doing must not seek to frustrate the Assembly from fulfilling its statutory duty in relation to the budget.
- 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.

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<sup>1</sup> For example, to implement the provisions of Standing order 6.10K.

## **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<sup>[1]</sup>, 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 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.

### **Notes and definitions**

[1] Under the Coronavirus Regulations 2020, a member in remote attendance is present and attends the meeting, including for the purposes of the meeting's quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other Members in attendance.
- (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

## **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, the Chair will proceed in accordance with Standing Order 6.12G (3)–(5). The Chair shall finally put the appropriate Substantive Motion to the vote, as follows:

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

or

*“To approve the Final Draft Budget with or 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) and in accordance with any decision taken by the Assembly and the provisions of Standing Order 6.4E, 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 automatically amend the budget in accordance with Standing Orders 6.7D (Draft Consolidated Budget) and 6.8E (Final Draft Budget).
- C. The Chair shall then proceed in accordance with Standing Order 6.12G (2)-(5).
- D. If no budget amendment(s) are carried, the Chair shall proceed in accordance with Standing Order 6.15 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<sup>[1]</sup>;
  - (3) the Mayor's statement that he/she is proceeding by virtue of paragraph 5(2)(a) of Schedule 7<sup>[2]</sup>;
  - (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<sup>[3]</sup>.
- 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<sup>[4]</sup>.

### **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.

[4] In this event, the Authority's consolidated council tax requirement is to be deemed to be that agreed by the Assembly.

## **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 of the Assembly, 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 council tax requirement in accordance with paragraph 7 of Schedule 6.
- C. If the Draft Consolidated Budget presented by the Mayor does not comply with the Relevant Principles, in accordance with paragraph 1A of Schedule 6, then the Assembly shall prepare a Draft Substitute Budget that accords with these principles and the other procedures set out in Schedule 6 as inserted by paragraph 137 of Schedule 6 of the Localism Act 2011 will apply.
- D. If the Final Draft Budget presented by the Mayor does not comply with the Relevant Principles, in accordance with paragraph 6A of Schedule 6, then the Mayor shall also prepare a Draft Substitute Consolidated Budget that complies with these principles, and the other procedures set out in Schedule 6 as inserted by paragraph 137 of Schedule 6 of the Localism Act 2011 will apply.
- E. At the same time as the Mayor presents his Draft Substitute Consolidated Budget to the Assembly, and before the last day of February, the Mayor shall lay before the Assembly a written statement of the reasons for the differences between the Final draft Budget and the Draft Substitute Consolidated Budget, and the other procedures set out in Schedule 6 as inserted by paragraph 137 of Schedule 6 of the Localism Act 2011 will apply.

- F. The provisions of the new Schedule 4ZA of the Local Government Finance Act 1992 as added by Schedule 5 of the Localism Act are applicable where any of the procedures set out in Schedule 6 of the Localism Act trigger the referendum provisions in Schedule 4ZA in respect of appropriate billing authorities and excessive basic council tax.

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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")<sup>[1][1a]</sup>.
- B. The Mayor shall approve the form of the Debate and its procedures<sup>[2]</sup>. 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<sup>[3]</sup>.
- 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<sup>[4]</sup>.
- 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<sup>[5]</sup>.

## **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.

[1a] Under the Coronavirus Regulations 2020, s47 of the GLA Act 1999 (the annual State of London debate) is disapplied.

[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")<sup>[1][1a]</sup>.
- B. The Mayor shall approve the form of each statutory PQT meeting and its procedures, following consultation with the Assembly<sup>[2]</sup>.
- 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<sup>[3]</sup> 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<sup>[4]</sup>.

### 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.

[1a] The Coronavirus Regulations 2020 state that "where regulations made under Part 2A of the Public Health (Control of Disease) Act 1984(b) are in force in respect of a serious and imminent threat to public health which is posed by the incidence and spread of coronavirus, a People's Question Time may be cancelled where the head of the Authority's paid service considers that it is not reasonably practicable to hold it."

[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 Coronavirus Regulations 2020 state that the ‘place’ at which the meeting is held may be at an Authority building or may be an electronic or a digital or virtual location, a web address or a conference call telephone number; or could be a number of these combined. The meeting may also be held in a meeting room or Chamber with a proportion of the membership and any participating public additionally attending remotely.

[4] 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.

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## **STANDING ORDER 8**

### **COMMITTEES AND SUBCOMMITTEES**

#### **8.1 ESTABLISHMENT OF COMMITTEES AND SUBCOMMITTEES**

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

- A. The Assembly may establish and disestablish committees (either ordinary or advisory).
- B. The Staffing Committee may establish subcommittees for the purposes of senior staff appointments without the approval of the Assembly.
- C. The Business Management Committee may establish subcommittees for the purposes of performing functions in relation to its terms of reference.
- D. Committees other than the Staffing Committee and the Business Management Committee, may also establish subcommittees, but only with the prior approval of the Assembly or the Business Management Committee.
- E. Whenever a committee or subcommittee is established, the following matters shall be identified and decided by the body that establishes it, or authorises its establishment:
  - (1) in relation to a committee, the number of seats and the identity of those who will sit on it<sup>[1]</sup> (or the mechanism by which they shall be appointed in accordance with Standing Order 8.3 below (Political Balance);
  - (2) the identity of the Chair and (if any) Deputy Chair or whether the committee/subcommittee is to appoint them.
- 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; and

(2) for committees, the 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; for subcommittees their duration and the term of appointments of their members shall be for one year or until the start of the first meeting of the body which established the subcommittee after the Annual Meeting when they must be re-established and re-appointed if they are to continue.

G. A member of a subcommittee 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.

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<sup>[1]</sup>.

### **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. However, advisory committees and subcommittees can include such persons.

## **8.2 MEMBERS' RIGHTS TO BE OBSERVERS AT COMMITTEE**

**Application:** applies to the Assembly in relation to appointments to its committees. Applies to committees and subcommittees in relation to participating observers.

- A. 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 and subcommittees.

- A. The seats on all ordinary and advisory committees will be allocated and appointed by the Assembly 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 Head of Paid Service (as proper officer), in accordance with the Local Government (Committees and Political Groups) Regulations 1990<sup>[1]</sup> 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 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 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 ordinary committee under sections 15 to 17 of the 1989 Act as between Political Groups may not be delegated<sup>[2]</sup>; the Assembly, by virtue of this Standing Order, authorises its Staffing Committee and its business management committee (only) to establish ordinary sub-committees for the purposes set out in Standing Orders 8.1B and C and on the advice of the Executive Director of Secretariat, to allocate seats to those bodies in accordance with sections 15-17 of the 1989 Act. Any sub-committee so established would then be included within the overall political balance calculations<sup>[3]</sup>.
- E. Seats on ordinary committees and sub-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<sup>[4]</sup>) if the Assembly (only)<sup>[1]</sup> approves such an allocation by unanimity of those present and voting, abstentions not counting (ie where no Assembly Member casts a vote against) when considering a report on political balance from the Executive Director of Secretariat<sup>[5]</sup>.

## **Notes and definitions**

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

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

[3] The 1989 Act does not require seats to be allocated proportionately to sub-committees.

[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.

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".

[5] 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.

- A. The establishment of working groups or working panels or other such bodies for the purpose of advising or undertaking work on any matter<sup>[1]</sup>, 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<sup>[2]</sup>.
- 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 11.4.

## **8.6 SUBSTITUTES FOR COMMITTEES AND SUBCOMMITTEES**

**Application:** applies to committees and subcommittees.

- A. The Assembly must agree (and may subsequently vary) a standing list of named Substitute Members for each committee. The list of substitute Members for each subcommittee will be agreed by the relevant parent body.
- B. 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.
- C. 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 unless they have been granted a specific delegation of authority by the relevant body.
- D. 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.

## **8.7 JOINT MEETINGS AND JOINT SUBCOMMITTEES**

**Application:** Applies to committees and subcommittees.

- 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 Orders 8.1 and 8.3 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 PROCEDURES FOR RECORDING DISSENT IN RELATION TO SCRUTINY REVIEWS**

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

- A. Any Member of any ordinary committee or sub-committee who wishes to dissent from the proposed views of that body arising from an investigation or review is entitled to have such dissent formally recorded, including by way of publication of a Minority Report.
- B. The procedures that govern the recording of any dissent expressed by the minority Member(s) shall be approved from time to time by the Chair of the Assembly in consultation with the Deputy Chair of the Assembly (on the recommendation of the Executive Director of Secretariat) and then, circulated to all Assembly Members and appended to these Standing Orders. (Before recommending the procedure for approval, 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 review or investigation (or part of one) on its behalf<sup>[1]</sup>. 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, unless given specific authority to complete and publish findings without being required to present a report back to the body which established the rapporteurship).
- B. The business management committee<sup>[2]</sup> 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 review or investigation in question.

### Notes and definitions

[1] Under s54(3) of the GLA Act 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 11.4.

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## **STANDING ORDER 9**

### **THE POLICE AND CRIME COMMITTEE**

#### **9.1 THE ESTABLISHMENT OF THE POLICE AND CRIME COMMITTEE**

**Application:** Subject to paragraph B below, this Standing Order 9 applies to the Assembly, its committees and subcommittees and the Police and Crime Committee and its subcommittees.

- A. The Assembly must establish and thereafter maintain a committee of the Assembly to be known as the Police and Crime Committee.
- B. The Assembly must arrange for the functions granted to the Assembly by the Police Reform and Social Responsibility Act 2011 ("the Police and Crime Committee Functions and the complaint functions<sup>2</sup>) to be discharged on its behalf by the Committee.
- C. The Assembly must determine, ordinarily at its annual meeting, the number of seats of the Police and Crime Committee, appoint the membership of the Committee (noting that persons who are not Members of the Assembly may be members of the Police and Crime Committee) and determine the term of office of the members of the Committee.
- D. The Executive Director of Secretariat, further to a decision of the Assembly, and in consultation with the Chair and Deputy Chair of the Assembly and party Group leaders will draw up procedures for the appointment of members of the Police and Crime Committee who are not Assembly Members.
- E. The Assembly may, from within the appointed membership of the Committee and at each annual meeting of the Assembly or otherwise when a vacancy arises in the office, determine the identity of the Chair (and Deputy Chair (if any), or determine that the Police and Crime Committee is to appoint the Chair (and Deputy Chair (if any)).
- F. The Assembly must determine the terms of reference of the Police and Crime Committee; which must include the statutory functions of the

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<sup>2</sup> The Police and Crime Committee Functions are those conferred by section 33 of the Police Reform and Social Responsibility Act 2011 and section 60A and Schedule 4A of the Greater London Authority Act 1999 as amended. The complaint functions are those conferred by section 31 of the Police Act and under the Elected Local Policing Bodies (Complaints and Misconduct) Regulations made under the Police Act.

Assembly's Police and Crime Committee and the relevant statutory complaint-handling functions.

- G. The special scrutiny functions granted by section 33(1) of the Police Reform and Social Responsibility Act 2011 and by section 60A of and schedule 4A of the Greater London Authority Act 1999 as amended<sup>3</sup> may only be exercised at a meeting of the whole Police and Crime Committee, which must be quorate in accordance with Standing Order 2.4.
- H. The Police and Crime Committee may appoint a sub-committee to discharge any of its formal functions of the Committee except the special scrutiny functions referred to in Standing Order 9.1.G above; it may appoint informal groups of its members in order to undertake work on its behalf from within its remit and to make recommendations back to the Committee or one of its sub-committees for decision(s).
- I. The number of members of any sub-committee of the Police and Crime Committee and their terms of office are to be fixed by the Committee. Persons who are not members of the Assembly may be members of a sub-committee.
- J. Standing Order 8.1 Committees and Sub-committees applies except as to paragraphs E, F, G and J which are dealt with by this Standing Order. Otherwise, the 'application' section of each chapter of the Authority's Standing Orders details the applicability of the remainder of the Standing Orders to this Committee.

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<sup>3</sup> These are functions are to: (a) review the draft police and crime plan, or draft variation, given to the Assembly by the Mayor's Office for Policing and Crime in accordance with section 6(6)(c), and (b) make a report or recommendations on the draft plan or variation to the Mayor's Office for Policing and Crime; and to hold a confirmation hearing in respect of the appointment of the Deputy Mayor for Policing and Crime and exercise the Committee's power of veto if the candidate is not an Assembly Member.

## 9.2 CONFIRMATION HEARINGS

**Application:** Applies to the Police and Crime Committee and any subcommittee of the Committee.

- A. Where the Mayor's Office for Policing and Crime proposes to make an appointment to the office of Deputy Mayor for Policing and Crime as specified in section 60A(3) of the GLA Act, the Mayor's Office for Policing and Crime must notify the Chair of the London Assembly's Police and Crime Committee in writing (copied to the Executive Director of Secretariat) of the person whom he intends to appoint ("the candidate").
- B. In accordance with the provisions of Schedule 4A to the GLA Act 1999 (as amended), the Police and Crime Committee must within three weeks from receipt of formal notice of the appointment of the Deputy Mayor for Policing and Crime within which to: (i) decide whether to hold a confirmation hearing for the Mayor's Office for Policing and Crime candidate for appointment to the office of Deputy Mayor for Policing and Crime listed in Section 60A(3) of the Act; and (ii) request that the Mayor's Office for Policing and Crime candidate for appointment produce, under paragraph 6(4) of Schedule 4A of the GLA Act, documents that relate to his or her proposed appointment.
- C. A notice requesting a candidate for appointment to attend a confirmation hearing will be sent by the Authority's Head of Paid Service in accordance with paragraph 7 of Schedule 4A of the GLA Act and the notice may specify any documents that the Chair of the Police and Crime Committee has requested the candidate to produce under Standing Order 9.2.B above.
- D. Confirmation Hearings will be held in accordance with Section 60A and Schedule 4A of the GLA Act.
- E. The Police and Crime Committee will normally meet in public, but will consider any reasonable request from the candidate to meet in private under the provisions of Schedule 12A of the Local Government Act 1972.

[Section 32(5) of the Police Reform and Social Responsibility Act provides that the special scrutiny functions as defined in the Act, which includes the functions set out in (i) and (ii) above, may only be exercised by a meeting of the whole Police and Crime Committee and may not be delegated to a single Assembly Member].

- F. The scope of questions to be asked by the Police and Crime Committee can include anything reasonable and relevant to the candidate's fitness for office and ability to do the job.
- G. Following any confirmation hearing, the Chair of the Police and Crime Committee will write to the Mayor within three weeks of the date of notification of the appointment in Standing Order 9.2.B above, to communicate the Committee's recommendation as to whether or not the candidate should be appointed to office, and of any motion passed to veto the appointment under Standing Order 9.2.H and I below, and will also ensure that the Assembly is notified of every such decision.
- H. The Committee may veto the appointment of the candidate as Deputy Mayor for Policing and Crime where the candidate is not a member of the London Assembly.
- I. If the Committee votes by at least two-thirds of the members present and voting, for the following motion, where that the candidate is not a member of the London Assembly:

*"The Police and Crime Committee hereby resolves to veto the proposed appointment of ..... as Deputy Mayor for Policing and Crime."*

Then, if the Chair of the Police and Crime Committee notifies the Mayor's Office for Policing and Crime of the motion to veto within three weeks of the notification of the proposed appointment by the Mayor's Office for Policing and Crime under Standing Order 9.2.C, the Mayor's Office must not appoint the candidate as Deputy Mayor for Policing and Crime<sup>4</sup>.

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<sup>4</sup> Paragraph 10 of schedule 4A The Greater London Authority Act 1999 as amended.

### **9.3 THE POLICE AND CRIME COMMITTEE AND THE LONDON ASSEMBLY**

**Application:** Applies to the London Assembly, its committees and subcommittees including the Police and Crime Committee and its subcommittees.

- A. The Assembly may not arrange for any of its other functions to be discharged by the Police and Crime Committee.
- B. The Assembly cannot exercise any of the special scrutiny functions delegated to the Police and Crime Committee by the Police Reform and Social Responsibility Act 2011 and section 54(5) of the GLA Act does not apply to the Committee in this respect.
- C. For the avoidance of doubt: the Mayor is still required to meet his/her statutory responsibilities in respect of Mayor's Question Time meetings and related procedures and all other responsibilities in respect of scrutiny by the London Assembly as set out in the various relevant Acts of Parliament, regulations and these Standing Orders; the Assembly and its Committees and Sub-committees may continue to invite the Commissioner of Police for the Metropolis and/or his/her representatives for questioning on relevant matters in London as is deemed necessary; and the Assembly could summons the person holding the office of Deputy Mayor for Policing and Crime to answer relevant questions, as permitted by the GLA Act and these Standing Orders.

## **9.4 QUESTIONS TO THE MAYOR'S OFFICE FOR POLICING AND CRIME**

**Application:** Applies to the Police and Crime Committee.

- A. This Standing Order governs the questioning of the Mayor's Office for Policing and Crime, the Deputy Mayor for Policing and Crime (or any person who has held either of those posts within eight years of the request), any member of staff of the Mayor's Office for Policing and Crime and other persons or representatives of bodies requested (but not required<sup>5</sup>) to attend Police and Crime Committee meetings or their sub-committees (except in relation to the exercise of special scrutiny functions which can not be delegated to a sub-committee of the Committee), which persons for the avoidance of doubt include the Commissioner of Police for the Metropolis requested to attend under section 33 (8) of the Police Reform and Social Responsibility Act.
- B. The Chair of the Police and Crime Committee may from time to time approve detailed rules and procedures for the conduct of questioning the parties required to attend in accordance with Standing Order 9.4.A above, following consultation with the MOPAC, Deputy Mayor for Policing and Crime and the Leaders of the Political Groups.
- C. The procedures may include reference (but are not limited to) to the number and scope of questions Members may deposit under this Standing Order, 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 should be extended beyond any time limit to be imposed to allow for a question (including supplementaries) to which the parties required to attend in accordance with Standing Order 9.4.A above, are then responding, to be completed.
- D. For the avoidance of doubt, this Standing Order 9.4 shall not govern or restrict the formal exercise of the powers to require MOPAC staff to attend the Police and Crime Committee under section 32 of the Police Reform and Social Responsibility Act or to require the attendance of witnesses and production of documents under sections 61 to 65 or 110 of the GLA Act.
- E. The Committee may exercise such of the powers under section 33 (5) to (9) of the Police Reform and Social Responsibility Act as they consider

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<sup>5</sup> Required" in this Standing Order 7.4 refers to being required to attend the meeting under section 33 of the Police Act.

appropriate in the circumstances to require any person to whom section 33 (6)(2) applies, to:

(1) Attend the proceedings of the Committee for the purpose of giving evidence; and/or

(2) Produce to the Committee documents in his/her possession or under his/her control.

F. The exercise of the Committee's powers under section 33(5) to require attendance may not be delegated by the Committee to a sub-committee or to an individual Assembly Member or to any member of staff of the Authority.<sup>6</sup>

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<sup>6</sup> By s62(1) of the GLA Act, neither ordinary subcommittees nor advisory committees or advisory subcommittees can exercise these powers.

## **9.5 THE POLICE AND CRIME COMMITTEE AND THE ANNUAL REPORT AND POLICE AND CRIME PLAN**

**Application:** Applies to the Police and Crime Committee and its subcommittees.

- A. The Police and Crime Committee or a subcommittee may on receipt of the annual report produced by the Mayor's Office for Policing and Crime, in accordance with section 12 of the Police Reform and Social Responsibility Act 2011, hold a meeting to ask the MOPAC such questions about the report as it sees fit, review the report and submit proposals to the MOPAC on the report.
- B. In accordance with section 6(6)(c) of the Police Reform and Social Responsibility Act, the Mayor's Office for Policing and Crime is required to send a draft Police and Crime Plan or a variation of an existing plan to the Committee.
- C. In accordance with section 33(1) of the Police Reform and Social Responsibility Act, the Committee must review the draft plan or variation and make a report or recommendation to the Mayor's Office for Policing and Crime. The MOPAC is required to:
  - (i) have regard to any report or recommendations made by the Committee to the draft strategies or variations; and
  - (ii) give the Committee a response to any such report or recommendations and publish that response.

## **9.6 THE POLICE AND CRIME COMMITTEE AND CONDUCT MATTERS**

**Application:** Applies to the Police and Crime Committee and its subcommittees.

- A. The Police and Crime Committee will approve formal procedures by which it will deal with complaints about conduct matters in accordance with section 31 and schedule 7 of the Police Act 2011 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011.

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## STANDING ORDER 10

### THE STATUTORY FIRE AND EMERGENCY COMMITTEE

#### 10.1 ESTABLISHMENT OF THE FIRE AND EMERGENCY COMMITTEE

**Application:** Subject to paragraph B below, this Standing Order 10 applies to the Assembly, its committees and sub-committees and the Fire, Resilience and Emergency Planning Committee (“the Committee”) and its sub-committees.

- A. The Assembly must establish and thereafter maintain a committee of the Assembly to be known as the Fire, Resilience and Emergency Planning Committee (which fulfils the functions of the statutory fire and emergency committee referred to in section 327H of the GLA Act 1999).
- B. The Assembly must arrange for the following functions granted to the Assembly by the Policing and Crime Act 2017 to be discharged on its behalf only by that Committee and no other:
  - The functions conferred on the Assembly by section 327 I of the GLA Act 1999 to:
    - review and report to the Mayor on the document prepared by the London Fire Commissioner under section 327G;
    - keep the exercise of the Commissioner’s functions under review generally;
    - investigate and prepare reports about the matters listed in section 327I(3)(a) to (e)<sup>7</sup>;
    - investigate and prepare reports about the actions and decisions of the Deputy Mayor for Fire;
    - submit proposals to the Commissioner;
    - require relevant persons to attend proceedings for the purpose of giving evidence and/ or to produce document in their possession or control; and

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<sup>7</sup> These are to investigate, and prepare reports about—  
(a) any actions and decisions of the London Fire Commissioner,  
(b) any actions and decisions of an officer of the London Fire Commissioner,  
(c) matters relating to the functions of the London Fire Commissioner,  
(d) matters in relation to which the functions of the London Fire Commissioner are exercisable, or  
(e) any other matters which the Assembly considers to be of importance to fire and rescue services in Greater London.

- The functions conferred on the Assembly by section 60A and Schedule 4A of that Act in relation to the appointment of the London Fire Commissioner and the Deputy Mayor for Fire.

C. The Assembly must determine, ordinarily at its annual meeting, the number of seats on the Committee, appoint the membership of the Committee (noting that persons who are not Members of the Assembly may be voting members of the Fire, Resilience and Emergency Planning Committee) and determine the term of office of the members of the Committee.

D. The Executive Director of Secretariat, further to any decision of the Assembly, and in consultation with the Chair and Deputy Chair of the Assembly and party Group leaders, will draw up procedures for the appointment of members of the Committee who are not Assembly Members.

E. The Assembly may, from within the appointed membership of the Committee (whether an Assembly Member or not) and at each annual meeting of the Assembly or otherwise when a vacancy arises in the office, determine the identity of the Chair (and Deputy Chair (if any)), or otherwise determine that the Fire, Resilience and Emergency Planning Committee is to appoint the Chair (and Deputy Chair (if any)).

F. The Assembly shall determine the terms of reference of the Committee; which must be limited to the functions mentioned in Standing Order 10.1 B above.

G. The following “special scrutiny functions” shall only be exercised at a meeting of the whole Committee (and so may not be delegated to any sub-committee or to a single Committee member), which must be quorate in accordance with Standing Order 2.4:

- The functions conferred by section 327I (1) of the GLA Act 1999 (review and recommendation concerning the document prepared by the London Fire Commissioner under section 327G (1)); and
- The confirmation hearing functions conferred by section 60A and Schedule 4A of that Act in relation to the appointment of the London Fire Commissioner and the Deputy Mayor for Fire;

(both referred to as the “special scrutiny functions”).

H. The Committee may appoint a sub-committee(s) to discharge any of its functions, other than any of the special scrutiny functions referred to in paragraph G above; and, subject to that restriction, it may appoint informal

groups of its members in order to undertake work on its behalf from within its remit and to make recommendations back to the Committee or one of its sub-committees for decision(s).

- I. Members of the Committee, and any sub-committee of it, who are not Members of the Assembly may vote on any matter put to a vote.
- J. The number of members of any sub-committee and their terms of office are to be fixed by the Committee. Persons who are not members of the Assembly may be members of a sub-committee.
- K. Standing Order 8.1 Committees and Sub-Committees applies except as to paragraphs E, F, G and J which are dealt with by this Standing Order. Otherwise, the 'application' section of each chapter of the Authority's Standing Orders details the applicability of the remainder of the Standing Orders to this Committee.

## **10.2 CONFIRMATION HEARINGS FOR LONDON FIRE COMMISSIONER AND DEPUTY MAYOR FOR FIRE**

**Application:** Applies to the Fire, Resilience and Emergency Planning Committee (“the Committee”) and any sub-committee of the Committee.

- A. Where the Mayor proposes to make an appointment to the office of London Fire Commissioner and/ or Deputy Mayor for Fire, as specified in section 60A (3) of the GLA Act 1999, the Mayor must notify the Chair of the Committee in writing (copied to the Executive Director of Secretariat) of the person whom he intends to appoint (“the candidate”).
- B. In accordance with the provisions of Schedule 4A to the GLA Act 1999 (as amended), the Committee must within three weeks from receipt of formal notice of the proposed appointment (“the notification date”) decide: (i) whether to hold a confirmation hearing for the Mayor’s candidate for appointment; and (ii) request that the Mayor’s candidate produce, under paragraph 6(4) of Schedule 4A of the GLA Act, documents that relate to his or her proposed appointment, as deemed necessary.
- C. A notice requesting a candidate attend a confirmation hearing will be sent by the Authority's Head of Paid Service in accordance with paragraph 7 of Schedule 4A of the GLA Act. The notice may specify any documents that the Committee has requested the candidate to produce in accordance with Standing Order 10.2 B (ii) above.
- D. Confirmation Hearings will be held in accordance with Sections 327H (5), 60A and Schedule 4A of the GLA Act 1999 and those may only be exercised by meetings of the whole committee, which must be quorate in accordance with Standing Order 2.4 (and so may not be delegated to a sub-committee or single member).
- E. The Committee will normally meet in public, but will consider any reasonable request from the candidate to meet in private under the provisions of Schedule 12A of the Local Government Act 1972.
- F. The scope of questions to be asked by the Committee can include anything reasonable and relevant to the candidate’s fitness for office and ability to do the job.
- G. As soon as possible after the end of any confirmation hearing, and in any event within three weeks of the notification date in Standing Order 10.2.B above, the Chair of the Committee will write to the Mayor as soon as

possible to communicate: (i) the Committee's recommendation as to whether or not the candidate should be appointed to office, and (ii) any motion duly passed to veto the appointment under paragraphs H and I below, and will also ensure that the London Assembly is notified of every such decision.

- H. The Committee may veto the appointment of the candidate for London Fire Commissioner and (if the candidate is not an Assembly Member) for Deputy Mayor for Fire in accordance with paragraph I below.
- I. To exercise its power of veto over the appointment of a candidate for London Fire Commissioner or (where the candidate is not an Assembly Member) for Deputy Mayor for Fire, the Committee in accordance with paragraph 11(1) of Schedule 4A to the GLA Act 1999 the Committee must pass the following resolution by at least two-thirds of the members present and voting:

*"The Fire, Resilience and Emergency Planning Committee hereby resolves to veto the proposed appointment of ..... as [London Fire Commissioner] [Deputy Mayor for Fire]."*

- J. Where the Chair of the Committee notifies the Mayor of the passing of a motion to veto passed by the requisite majority referred to in paragraph I above within three weeks of the notification date, the Mayor must not appoint the candidate to the post of London Fire Commissioner or Deputy Mayor for Fire.

### **10.3 THE FIRE, RESILIENCE AND EMERGENCY PLANNING COMMITTEE AND THE LONDON ASSEMBLY**

**Application:** Applies to the London Assembly, its committees and Sub-committees including the Fire, Resilience and Emergency Planning Committee and its subcommittees.

- A. The Assembly cannot exercise any of the special scrutiny functions referred to in Standing Order 10.1 G and section 54(5) of the GLA Act does not apply to the Committee in this respect.
- B. For the avoidance of doubt: the Mayor is still required to meet his/her statutory responsibilities in respect of Mayor's Question Time meetings and related procedures and all other responsibilities in respect of scrutiny by the London Assembly as set out in the various relevant Acts of Parliament, regulations and these Standing Orders; the Assembly and its Committees and Sub-committees may continue to invite the London Fire Commissioner and/or his/her representatives for questioning on relevant matters in London as is deemed necessary; and the Assembly could summons the person holding the office of Deputy Mayor for Fire and/or London Fire Commissioner to answer relevant questions, as permitted by the GLA Act and these Standing Orders.

## 10.4 QUESTIONS TO THE LONDON FIRE COMMISSIONER

**Application:** Applies to the Fire, Resilience and Emergency Planning Committee (“the Committee”).

- A. This Standing Order governs the questioning of the or London Fire Commissioner and/or Deputy Mayor for Fire (or any person who has held either of those posts within eight years of the request), any member of staff of the London Fire Commissioner and other persons or representatives of bodies who may be requested (but not required) to attend Fire, Resilience and Emergency Planning Committee meetings (except in relation to the exercise of the special scrutiny functions referred to at Standing Order 10.1.G) or its sub-committees.
- B. The Chair of the Committee may from time to time approve detailed rules and procedures for the conduct of questioning the parties required to attend in accordance with Standing Order 10.4.A above, following consultation with the Mayor, Deputy Mayor for Fire, the London Fire Commissioner and the Leaders of the Assembly’s party Groups.
- C. The procedures may include reference (but are not limited to) to the number and scope of questions Members may deposit under this Standing Order, 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 should be extended beyond any time limit to be imposed to allow for a question (including supplementaries) to which the parties required to attend in accordance with Standing Order 10.4.A above, are then responding, to be completed.
- D. For the avoidance of doubt, this Standing Order 10.4 shall not govern or restrict the formal exercise of any powers to require the London Fire Commissioner, Deputy Mayor for Fire or member of staff of the London Fire Commissioner to attend meetings of the Fire, Resilience and Emergency Planning Committee or to require the attendance of witnesses and production of documents under sections 61 to 65 or 110 of the GLA Act 1999.

## **10.5 FIRE AND EMERGENCY COMMITTEE AND RELEVANT DOCUMENTS TO BE PUBLISHED BY THE LONDON FIRE COMMISSIONER**

**Application:** Applies to the Fire, Resilience and Emergency Planning Committee (“the Committee”). Sub-committees cannot exercise the functions referred to in paragraph A below.

- A. In accordance with section 327I(1) of the GLA Act 1999, the Committee must, on behalf of the Assembly:
  - review any draft document which is prepared by the London Fire Commissioner in accordance with section 327G (1) which—
    - (a) sets out the Commissioner’s priorities and objectives, for the period covered by the document, in connection with the discharge of the Commissioner’s functions, or
    - (b) contains a statement of the way in which the Commissioner has had regard, in the period covered by the document, to the Fire and Rescue National Framework and to any document within paragraph (a) prepared by the Commissioner for that period; and
  - make a report or recommendation to the Mayor on the proposed draft (or revision) of that document.
- B. The Commissioner may not publish the document or any revision to it unless—
  - (a) the Committee has had an opportunity to review the draft document or revision, and make a report on it to the Mayor, and
  - (b) the Mayor has approved the draft document or revision.
- C. In order to present the London Assembly with a copy of any document being prepared under section 327G(1) of the Act, the London Fire Commissioner must lay a copy of the document(s) before the Assembly by submitting a copy to the Chair of the Committee (copied to the Executive Director of Secretariat).

## STANDING ORDER 11

### DELEGATION OF THE ASSEMBLY'S FUNCTIONS

#### 11.1 THE GENERAL DELEGATION

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

- 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) include the powers under Section 59 of the GLA Act 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<sup>[1]</sup>:
  - (1) to what extent (if at all) the Mayor could use the Authority's powers under section 30 of the GLA Act 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<sup>[2]</sup> of the Assembly is delegated under section 54(1) of the GLA Act the power to discharge any of the Assembly's functions as are capable of being exercised within that committee or subcommittee's approved terms of reference<sup>[3]</sup> 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 , 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<sup>[4]</sup>;
- (2) the powers of the Assembly to require financial information from a Functional Body under section 110 of the GLA Act 1999;
- (3) subject to Standing Order 8.1<sup>[5]</sup>, Standing Order 11.7, and to any express direction by the Assembly to the contrary, to establish, appoint members and delegate functions to an ordinary subcommittee;

*by an ordinary committee or sub-committee only:*

- (4) 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;
- (5) 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;
- (6) subject to Standing Order 11.7 below and to any express direction by the Assembly or parent committee to the contrary to delegate functions to a single Member of the Assembly under section 54(3-4) of the GLA Act;

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 review 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 this Standing Order 11.1 applies to both ordinary and advisory committees, subject to that basic limitation.

[3] The Assembly's powers under ss61 to 65 of the GLA Act 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. Under s62(1) only those committees expressly authorised by Standing Orders can exercise the Assembly's powers under s61(1).

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

[5] Under Standing Order 8.1 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. Standing Order 8.1 permits the Staffing Committee and the Business Management Committee to establish subcommittees, without the prior approval of the Assembly or the Business Management Committee.

## 11.2 STANDING DELEGATIONS TO CHAIRS

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

- A. The Chair of the Assembly, and the Chairs of every ordinary or advisory committee or subcommittee, 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<sup>[1]</sup>:
  - (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 11.3 (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 paragraph B are, under Standing Order 11.7A, to be exercised in accordance with the Corporate Governance Framework.

### **11.3 MATTERS RESERVED TO THE ASSEMBLY**

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

- 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, or to any individual Assembly Member:
  - (1) any function which under the GLA Act 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;
    - b. the function of determining the allocation of seats on any ordinary committee (as defined by the GLA Act ) 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)<sup>[1]</sup>;
    - 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;
  - (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 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.*"

## 11.4 THE BUSINESS MANAGEMENT COMMITTEE

**Application:** applies to the Assembly (paragraphs A and D) and to the committee designated for the purposes of Standing Order 11.4 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 11.4 (called the “business management committee” in these Standing Orders)<sup>[1]</sup>.
- 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 11.3 (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).
  - (3) 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 matter not otherwise provided for and thereby to facilitate the efficient and effective discharge of the Assembly’s functions<sup>[1]</sup>.
- 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 11.5 (the

Staffing Committee) as well as with such other functions as the Assembly from time to time decides.

### **Notes and definitions**

[1] 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.

## 11.5 THE STAFFING COMMITTEE

**Application:** applies to the Assembly.

- A. The Assembly shall designate one of its committees for the purpose of this Standing Order 11.5 (to be known in this and other Standing Orders as "the Staffing Committee") to which it shall delegate, as being within that Committee's terms of reference, the exercise of:
  - (1) its powers of staff appointment (acting jointly with the Mayor) under sections 72(1), 73(1) and 127A(1) of the GLA Act;
  - (2) its powers to determine (acting jointly with the Mayor) terms and conditions of employment of staff appointed under sections 72(1C), 73(1C), and 127A(3) of the GLA Act;
  - (3) its powers to respond to any consultation before the Head of Paid Service exercises his or her powers under sections 67(2) (staff appointment) or 70(2) (terms and conditions of service);
  - (4) its powers for taking disciplinary action in accordance with the Statutory Officers Protocol – Staffing.

(The Staffing Committee may be called by any title and may be combined with the committee required under Standing Order 11.4 (the business management committee)).

- B. Any procedure that is required to be followed by the Staffing Committee by or under the Head of Paid Service Protocol - Staffing or the Statutory Officers Protocol - Staffing, referred to in Standing Order 14, 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.

## **11.6 CONFIRMATION HEARINGS COMMITTEE**

- A. The Assembly will establish a Confirmation Hearings Committee, as an ordinary committee of the Assembly, to deal with matters that the committee is empowered to deal with under section 60A and Schedule 4A of the GLA Act and under this Standing Order. The Assembly will appoint the members of the Committee and approve its term of reference, and may appoint the Chair and Deputy Chair of the Committee.
- B. Where the Mayor proposes to make an appointment to any of the offices specified in section 60A(3) of the GLA Act, the Mayor must notify the Chair of the Assembly in writing (copied to the Executive Director of Secretariat) of the person whom he intends to appoint (“the candidate”).
- C. In accordance with the provisions of Schedule 4A to the Act, the Chair of the Assembly has delegated authority to (i) decide whether to hold a confirmation hearing for the Mayor’s candidate for appointment to one of the offices listed in Section 60A(3) of the Act; and (ii) to request that the Mayor’s candidate for appointment produce, under paragraph 6(4) of Schedule 4A of the GLA Act, documents that relate to his or her proposed appointment.
- D. A notice requesting a candidate for appointment to attend a confirmation hearing will be sent by the Authority's Head of Paid Service in accordance with paragraph 7 of Schedule 4A of the GLA Act and the notice may specify any documents that the Chair of the Assembly has requested the candidate to produce under C above.
- E. Confirmation Hearings will be held in accordance with Section 60A and Schedule 4A of the GLA Act.
- F. The Confirmation Hearings Committee will normally meet in public, but will consider any reasonable request from the candidate to meet in private under the provisions of Schedule 12A of the Local Government Act 1972.
- G. The scope of questions to be asked by the Committee can include anything reasonable and relevant to the candidate’s fitness for office and ability to do the job.
- H. Following any confirmation hearing, the Chair of the Confirmation Hearings Committee will write to the Mayor to communicate the Committee’s recommendation as to whether or not the candidate should be appointed to office and will also ensure that the London Assembly is notified of every such decision.

## 11.7 TERMS OF DELEGATION OF FUNCTIONS

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

A. All functions delegated under this Standing Order 11, by decision of the Assembly, a committee or subcommittee or by any other means, are to be exercised by those committees, subcommittees, individual Assembly Members or co-opted members in accordance with:

- (1) this Standing Order 11.7;
- (2) any other applicable Standing Order;
- (3) any restrictions, conditions or limitations set out in the Scheme of Delegation maintained under Standing Order 11.8 below, where delegated to a single Assembly Member; and
- (4) any applicable provision in the Authority's Corporate Governance Framework as approved from time to time including Financial Regulations<sup>[1]</sup>, the Contracts and Funding Practice Code, the GLA's Code of Conduct<sup>[2]</sup>, 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 or co-opted member:

- (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.

C. Nothing in this Standing Order 11.7 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<sup>[3]</sup>.

## **Notes and definitions**

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

[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] 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.

## 11.8 THE ASSEMBLY'S SCHEME OF DELEGATION

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

- 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 to an individual Assembly Member or co-opted member, in whatever capacity, 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 (including to a single Assembly Member) 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 paragraph A above responsible for approving delegations.

### Notes and definitions

- [1] The Assembly cannot formally delegate functions to an individual member of staff. 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.

## **11.9 THE MAYOR'S SCHEME OF DELEGATION**

**Application:** applies to the Authority.

- A. The Executive Director of Resources, 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<sup>[1]</sup>.
- 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 Assembly's Annual Meeting.

### **Notes and definitions**

[1] Under s38 of the GLA Act 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 12

### MEMBER CONDUCT AND ETHICAL STANDARDS

#### 12.1 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.

- A. The Mayor and the London Assembly acting jointly shall approve and adopt a Code of Conduct (“the Code”) dealing with the conduct that is expected of members and co-opted members of the Authority when they are acting in that capacity.
- B. The Code must:
  - (1) (when viewed as a whole) be consistent with the seven principles of public life set out in section 28(1)(a-g) of the Localism Act 2011[1]; and
  - (2) (in accordance with, and meeting the requirements of, sections 28(2)(b), 29 – 34 of the Localism Act 2011 and any regulations made thereunder) include the provision the Mayor and Assembly acting jointly consider appropriate in respect of the registration in the Authority’s register, and disclosure of (i) pecuniary interests and (ii) interests other than pecuniary interests[2].
- C. The Mayor, each Assembly Member, and every other co-opted member of an Assembly committee or subcommittee shall comply with the Code, as approved and adopted from time to time by the Authority under Standing Order A above, and shall comply with any guidance, procedures or requirements relating to the Code that are approved and issued by the Authority’s Monitoring Officer, following consultation with the Mayor and the Assembly.
- D. 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 as approved and adopted from time to time by the Authority under Standing Order A above.

## **Notes and definitions**

- [1] Under s27(2) of the Localism Act 2011 the Authority must adopt a Code dealing with the conduct expected of members and co-opted members of the authority when they are acting that capacity. Section 28 of the Localism Act 2011 requires that the Code must, when it is viewed as a whole, be consistent with the principles of public life. A copy appears in the Rule Book. By s28(13-14), and 27(6) and (9) the Code must be adopted by the Mayor and the Assembly acting jointly on behalf of the Authority.
- [2] Sections 28(2)(b), 29 – 34 of the Localism Act 2011 provide for the registration and disclosure of interests, and section 30(3) sets out the descriptions of disclosable pecuniary interests, which are to be specified in regulations made by the Secretary of State – see Standing Order 12.2).

## 12.2 THE REGISTER OF INTERESTS AND INTERESTS

**Application:** applies to the Mayor, every Member of the Assembly, and to other co-opted members of the Authority.

- A. The Monitoring Officer must establish and maintain a register of interests of members and co-opted members of the Authority.
- B. The Mayor, each Assembly Member, and every other co-opted member of an Assembly committee or subcommittee must, within 28 days of the Code being approved and adopted by the Authority under Standing Order 12.1, or, where it is later, within 28 days of their election or (in the case of a co-opted member) their appointment, notify the Authority's Monitoring Officer in writing (for registration in the Authority's register of interests) of any interests they are required to register under the Authority's Code.
- C. The Mayor, each Assembly Member, and every other co-opted member of an Assembly committee or subcommittee must, within 28 days of becoming aware of any new or change to any interest they are required to register under the Authority's Code, notify the Authority's Monitoring Officer in writing (for registration in the Authority's register of interests) of that new interest or change.
- D. The Mayor, each Assembly Member, and every other co-opted member of an Assembly committee or subcommittee shall comply with any guidance, procedures or requirements relating to the registration and disclosure of interests that are approved and issued by the Authority's Monitoring Officer, after consulting with the Mayor and the Assembly
- E. Where a Member has an interest that, in accordance with the Authority's Code and any guidance, procedures or requirements issued by the Monitoring Officer under D above, precludes that Member from:
  - (i) participating, or participating further, in any business before a meeting (within the definition of meeting contained in the Authority's Code), or
  - (ii) participating in any vote, or further vote, taken on the matter at the meeting

that Member must withdraw from the meeting while any discussion or vote takes place.<sup>[1]</sup>

## **Notes and Definitions**

[1] Any Member participating in a virtual meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the clerk, who will invite the relevant Member to re-join the meeting at the appropriate time.

## 12.3 COMPLAINTS ALLEGING A BREACH OF THE CODE OF CONDUCT

**Application:** applies to the Mayor, every Member of the Assembly, and to other co-opted members of committees or subcommittees.

- A. In accordance with section 28(6) of the Localism Act 2011, the Authority must have in place arrangements under which complaints alleging a breach of the Code (“complaints”) can be investigated and be determined.
- B. The arrangements for considering complaints are to be contained in a complaints procedure to be established by the Monitoring Officer following consultation with the Mayor and Assembly. The procedure must provide that the Monitoring Officer, or a Deputy Monitoring Officer (where the Monitoring Officer is unable to act due to absence, illness or an actual or potential conflict of interest), will:
  - receive all complaints;
  - where appropriate, normally try to resolve complaints informally;
  - only investigate complaints where the allegations are objectively and reasonably considered by the Monitoring Officer (or Deputy Monitoring Officer) to be serious matters and that, in taking this decision, the Monitoring Officer (or Deputy Monitoring Officer) will take into account:
    - o any relevant guidance and professional advice, and any relevant criteria and factors that the Authority’s former Standards Committee had previously taken into account when assessing complaints; and
    - o the views of at least one independent person (“independent person”) appointed for such purposes by the Mayor and the Assembly acting jointly in accordance with section 28 of the Localism Act 2011
  - before making a decision on a complaint that it has been decided to investigate, seek and take into account – in relation to the complaint – the views of at least one independent person;
  - make arrangements for a member who is the subject of a complaint to seek the views of an independent person in relation to the complaint;
  - upon completing an investigation, produce a written investigation report making one of the following findings:
    - o that the member complained about has failed to comply with the Authority’s Code of Conduct (a finding of failure); or
    - o a finding that a member who is the subject of a complaint has not failed to comply with the Code (a finding of no failure)

- not have any power to apply, or recommend any sanctions to be applied, in respect of a member who has been found to have failed to comply with the Code;
- report to the Mayor and Assembly on the operation of, and decisions made under, the complaint procedure.

## 12.4 DELEGATION AND OTHER STANDARDS MATTERS

**Application:** applies to the Mayor, every Member of the Assembly, and to other co-opted members of committees or subcommittees.

- A. The Mayor and the London Assembly acting jointly are responsible for adopting the Authority's Code of Conduct under Standing Order 12.1 . This function may not be delegated by either the Mayor or Assembly.
- B. Subject to A above, all other standards functions and matters contained in Chapter 7 of the Localism Act 2011 may be delegated by the Mayor and the Assembly acting jointly to an officer of the Authority or to a standards committee established by the Mayor and the Assembly acting jointly under section 35 of the Localism Act 2011. Where those functions are delegated to an officer, and that officer cannot act due to absence, illness or conflict of interest, those functions shall be delegated to another officer (normally expected to be as part of an appointment, made by the Monitoring Officer, or a Deputy Monitoring Officer).
- C. The Mayor and the Assembly acting jointly, or any officer acting under delegated authority, may, in connection with the discharge of any standards functions contained in Chapter 7 of the Localism Act 2011, seek the views of an independent person (see 12.3 B above) in relation to those matters.

## **12.5 STATUTORY REPORTS OF THE MONITORING OFFICER**

- A. Section 73 of the GLA Act and Section 5 of the Local Government and Housing Act 1989 (as applied by Section 73 of the GLA Act) set out the circumstances in which the Monitoring Officer has a duty to prepare a report for consideration either by the Mayor, the London Assembly or by both the Mayor and the London Assembly.
- B. Where, by virtue of Section 73(7) of the GLA Act, the Mayor and/or the London Assembly is under a duty to consider a report of the Monitoring Officer, the Mayor and/or the London Assembly (as applicable) is required to take account of any views on the report which have been expressed in a statement submitted as applicable:
  - (a) by the London Assembly to the Mayor;
  - (b) by the Mayor to the London Assembly, via the Chair of the Assembly; or
  - (c) By the Mayor to the London Assembly, via the Chair of the Assembly, and by the London Assembly to the Mayor.
- C. The statements referred to in (B) above must be submitted in accordance with that paragraph within 10 working days of receipt of the Monitoring Officer's report.
- D. Where the London Assembly is required to meet to consider the report of the Monitoring Officer it must do so within 21 days of receipt of the Monitoring Officer's report <sup>[1]</sup>.

### **Notes and definitions**

[1] Where the Mayor is required to consider a report of the Monitoring Officer, (s)he is also required to consider this within 21 days of having received the report

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## STANDING ORDER 13

### MEMBERS' RIGHTS AND ENTITLEMENTS

#### 13.1 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, 26 and 26A 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; and
  - (4) approving and implementing a scheme for payments to the Mayor and Assembly Members upon leaving office.
- B. To comply with:
  - (1) section 24(8) of the GLA 1999 Act, a copy of every approved determination of salaries or allowances;
  - (2) section 26(5) of the Act, a copy of every approved determination for the payment of pensions;
  - (3) section 26A(4) of the Act, a copy of every approved determination for the payment of grants to the Mayor and Assembly Members upon leaving office; and
  - (4) section 27 of the Act, a statement of the sums paid to the Mayor and each Assembly Member by way of salary, allowances, provision for pension and payments upon ceasing to hold office in the preceding financial year

shall be published by the Head of Paid Service 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.

- C. The Mayor and Assembly Members shall arrange for the publication of details of their expenses on the GLA website <sup>[1]</sup>.

### **Notes and definitions**

[1] The Assembly, at its meeting on 15 July 2009 agreed to publish, on the Authority's website, details of every Member's expense claim for 2008-09 and 2009-10 onwards (the amount and summary explanatory information as to the nature and purpose of the claim), once approved, through each Member's individual web page on the Authority's web site. The Authority's Expenses and Benefits Framework sets out detailed rules in relation to expenses.

## **13.2 MEMBERS' ACCESS TO INFORMATION, DATA AND DOCUMENTS UNDER PART 5A OF THE LOCAL GOVERNMENT ACT 1972<sup>[1]</sup>**

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

- A. In accordance with the Local Government Act 1972:
  - (1) An individual member of the Assembly, and a co-opted member of a committee or subcommittee, for the purposes of his/her duties; or
  - (2) the Assembly, a committee or subcommittee of the Assembly, 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 (e.g. provisions relating to advice to the Mayor) or rule of law as advised by the Authority's legal advisers.
- B. Routine requests for documents and data above should be directed to the relevant Executive Director. More complex requests and/or any requests for information made formally under the provisions of paragraph A(1) above should be made to the Executive Director of the Secretariat who will co-ordinate the provision of information.
- C. Where the data or document contain "exempt information", as defined by the Local Government Act 1972, an elected member must demonstrate that they have a "need to know" to enable them properly to perform their duties. Any request for exempt information will also be subject to the public interest test, which will be administered by the Proper Officer.
- D. It is the responsibility of individual members to decide whether or not to make public any information received. Where the information is exempt, to do so may be a breach of the Code of Conduct and/or the Data Protection Act<sup>[2]</sup>.
- E. Where the data or information contains "confidential" information, as defined by the Local Government Act 1972, the information may be made available to elected members but cannot, under any circumstances, be published<sup>[3]</sup>.

- F. The rights of elected members set out under the Local Government Act 1972 to access information held by the Authority supplement those under the Freedom of Information Act 2000. Therefore elected members may be entitled to access information which would ordinarily be exempt from release under Freedom of Information procedures.
- G. The Authority's legal advisers<sup>[4]</sup> may issue guidance from time to time on Assembly Members' rights of access to information under paragraph A above.

[Note: Standing Order 3.18 sets out the Assembly's powers to summons and require information under Sections 61-62 and 110 of the GLA Act 1999.]

### **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 ). 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, section 110 of the GLA Act, and section 228 of the Local Government Act 1972 and the common law.

[2] The Data Protection Act protects certain types of personal data held by the Authority, for example home addresses and medical history. Protected information must only be passed to persons who are registered (with the Information Commissioner) "data controllers". All 26 elected members are registered data controllers. Therefore, protected information may be passed to them, but only where absolutely necessary or where volunteered by the relevant individuals themselves. As registered data controllers, members are subject to all of the rights and liabilities contained within the Data Protection Act, including, but not limited to, ensuring that information constituting personal data is held in strict confidence, not passed on and not published (without redaction as necessary).

In addition, section 33A of the Data Protection Act does not prohibit the release of personal information to Assembly Members. However, the Act does restrict Members from further passing the information on, and to do so would most likely lead to a breach of the Data Protection Act.

[3] In accordance with the Local Government Act 1972, "confidential information" means: (a) information furnished to the council by a Government

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

[4] The Authority's legal advisers are:

- (i) Transport for London legal advisers providing legal advice to the GLA pursuant to the Instrument of Delegation which took effect on 14 December 2009.
- (ii) The Legal Adviser to the London Assembly.

### **13.3 RIGHTS OF ACCESS TO PREMISES**

**Application:** applies to all Assembly Members and to co-opted members of committees and subcommittees.

- 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 14**

### **STAFF STANDING ORDERS**

#### **14.1 REQUIREMENT TO HAVE STAFF STANDING ORDERS**

- A. The Local Authorities (Standing Orders) Regulations 1993 (SI 1993/202), and the Local Authorities (Standing Orders) (England) Regulations 2001 (SI 2001/3384) (as amended) require relevant authorities to adopt standing orders relating to staff<sup>[1]</sup>. Whilst the GLA Act sections 67(7), 72 (1B) (b), 73 (1B) (b), and 127A (2) (b) requires the Authority to adopt the staff standing orders contained in the regulations referred to above, those regulations do not strictly apply to the GLA. Accordingly, insofar as it is practicable to apply them to the Authority, the relevant provisions of the regulations have been applied to the Authority and relevant staff within the protocols referred to at 14.2 A-C below.

#### **Notes and definitions**

- [1] As amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 (SI 2015/881).

## **14.2 AUTHORITY PROTOCOLS APPLYING REQUIRED STANDING ORDERS**

- A. By virtue of this Standing Order, in making any staff appointments under section 67(1) of the GLA Act and in dealing with any matters concerning the employment of staff appointed under that section, the Mayor must comply with any relevant procedure or protocol on Mayoral appointments and staffing (agreed by the Mayor) in force from time to time<sup>[1]</sup>.
- B. By virtue of this Standing Order, in making any staff appointments under section 67(2) of the GLA Act and in dealing with any matters concerning the employment of staff appointed under that section, the Head of Paid Service must comply with any relevant procedure or protocol on appointments and staffing (agreed by the Head of Paid Service in consultation with the Mayor and the Assembly) in force from time to time<sup>[2]</sup>.
- C. By virtue of this Standing Order, in making any staff appointments under sections 72(1), 73(1) and 127A of the GLA Act, and in dealing with any matters concerning the employment of staff appointed under those sections, the Mayor and the Assembly acting jointly must comply with any relevant procedure or protocol on appointments and staffing (jointly agreed by them) in force from time to time<sup>[3]</sup>.

### **Notes and definitions**

[1] The document currently in force under and referred to in this Standing Order is the Protocol on Mayoral Appointments.

[2] The document currently in force and referred to in this Standing Order is the Head of Paid Service Staffing Protocol. The Head of Paid Service has also formally adopted the Head of Paid Service's Scheme of Delegations – Staffing.

[3] The document currently in force and referred to in this Standing Order is the Statutory Officer - Staffing Protocol.