



# **Tyne and Wear Integrated Transport Authority**

## **(Formerly Tyne and Wear Passenger Transport Authority)**

---

### **STANDING ORDERS**

**EFFECTIVE FROM 1 July 2012**

---

#### **A. CHAIR AND VICE-CHAIRS**

- A.1** The Chair and Vice-Chairs shall be elected annually by the Authority from amongst its Members and shall, unless they resign, cease to be members of the Authority or become disqualified, act until their successors become entitled to act as Chair and Vice-Chairs.
- A.2** The election of the Chair and Vice-Chairs shall be the first business at the Annual Meeting of the Authority and one of the Vice Chairs shall be designated as the Statutory Vice Chair.
- A.3** Subject to any Standing Orders made by the Authority, anything required to be done by, to or before the Chair may be done by, to or before the Vice-Chairs

#### **B. MEETINGS OF THE AUTHORITY**

##### **Dates of Meetings**

- B.1** In addition to the Annual Meeting and any meeting convened by the Chair or by Members, meetings for the carrying out of general business shall be held in each year at the times and on the dates fixed at the Annual Meeting, provided that no ordinary meeting shall be held in the month of August.

##### **Extraordinary Meetings**

- B.2** An extraordinary meeting may be called at any time by the Chair. If the Chair refuses to call an extraordinary meeting after a requisition for that purpose has been presented to him/her by three Members, or by a constituent authority, or if, without so refusing, the Chair does not call an extraordinary meeting within seven days after the requisition has been presented to him/her, then those Members or that authority on that refusal, or the expiration of those seven days, as the case may be, may forthwith call an extraordinary meeting.
- B.3** Notwithstanding the provisions of Order B.2 no extraordinary meeting shall be held on a Saturday, Sunday or public holiday.
- B.4** No business shall be considered at any extraordinary meeting save such as is specified in the resolution of the Authority or at the direction of the Chair or in the requisition presented to him/her under Order B.2.

## **Summons**

- B.5** At least five clear days before a meeting the Clerk shall arrange for a notice of the time and place of the intended meeting to be published at his/her office. Where the meeting is called by Members that notice is to be signed by those Members and specify the business proposed. A summons to attend the meeting, specifying the proposed business and signed by the Clerk, is to be left at, or sent by post to, the usual place of residence of every Member or to such other place as may be requested by a Member. Want of service of the summons shall not affect the validity of the meeting.
- B.6** Except in the case of business required by statute to be transacted at the Annual Meeting no business shall be transacted at a meeting other than that specified in the summons.

## **Quorum**

- B.7** The quorum of the Authority shall be at least one quarter of the whole number of Members provided that at least four constituent authorities are represented. No business shall be transacted at any meeting unless a quorum is present.
- B.8** If at any time more than one third of the Members become disqualified then, until the number of Members in office is increased to not less than two thirds of the whole number of Members of the Authority, the quorum shall be at least one quarter of the Members remaining qualified, provided at least four constituent authorities are represented.
- B.9** If during any meeting the Chair, after counting the number present, declares that there is not a quorum present the meeting shall stand adjourned until the next ordinary meeting unless an extraordinary meeting is convened for that purpose.
- B.10** A quorum found to be present under Order B.7 at any meeting shall be deemed to continue to be present until found otherwise under Order B.9.

## **Adjournment**

- B.11** At any meeting which has sat continuously for three hours the Chair shall have discretion to adjourn the meeting for a short period of time unless the majority of Members present, by vote, determine it shall stand adjourned to another day, the date and time of which shall be determined by the Chair.

## **Chair of the Authority**

- B.12** At a meeting of the Authority the Chair shall preside. If the Chair is absent the Statutory Vice-Chair shall preside. If both the Chair and the Statutory Vice-Chair are absent, such other Vice-Chair if present as the Members present shall choose shall preside. In the absence of any such other Vice-Chair, such other Member as the Members present shall choose shall preside.
- B.13** Any power or duty of the Chair in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.
- B.14** The ruling of the Chair as to the construction or application of these Standing Orders shall be final.

## **Press and Public**

- B.15** In accordance with the Local Government Act 1972 as amended by the Local Government (Access to Information) Act 1985:
- (i) all meetings of the Authority, its Committees and Sub-Committees shall be open to

the public unless it is likely in view of the nature of the business to be transacted that either confidential information (as defined in section 100A(3) of the 1972 Act) or information falling within one of the categories of exempt information in Schedule 12A (as amended) of the 1972 Act would be disclosed.

- (ii) Copies of the agenda, and reports open to the public will be available for public inspection at least five clear days before a meeting. If an item is added to the agenda later, the revised agenda and any additional report will be open to inspection from the time it was added to the agenda. The authority will supply copies of any of these documents on request to any person on payment of a reasonable fee to cover the cost of such supply.
- (iii) The Authority will make available for public inspection for six years after a meeting the minutes of the meeting (but excluding any part of the minutes when the meeting was not open to the public or which disclose confidential or exempt information), a summary of any proceedings not open to the public where the minutes open to inspection would not otherwise provide a reasonably fair and coherent record, the agenda for the meeting and reports relating to items when the meeting was open to the public.
- (iv) The author of any report will set out in it a list of those documents (called background papers) relating to the report which in his/her opinion disclose any facts or matters on which the report is based and which have been relied on to a material extent in preparing the report (except for documents which are published works or which disclose confidential or exempt information). Such background papers will remain available for public inspection for four years from the date of the meeting.
- (v) Where information is withheld under these provisions the fact must be made known to the member of the public concerned who shall be advised of the categories of information being withheld and the way in which the withholding can be challenged.

**B.16** No member of the public shall interrupt or take part in the proceedings of any meeting. If any member of the public interrupts or takes part in the proceedings at any meeting, the Chair shall warn him/her and if he/she continues the interruption the Chair shall order his/her removal.

**B.17** The Chair may at any time, if he/she thinks it desirable in the interests of order, adjourn or suspend a meeting for a time to be named by him/her.

### **Order of Business**

**B.18** The Authority on a motion duly seconded and carried without debate, or on motion by the Chair, which shall not require to be seconded, may vary the order of business as set out on the agenda.

### **Deputations and Petitions**

**B.19** Deputations wishing to be received shall first write to the Clerk who shall bring the request to the attention of the Chair. The Chair shall decide whether such a deputation shall be received by the Authority at its next meeting and the conduct of any deputation so received shall be at his/her discretion.

**B.20** Any person or body wishing to present a petition to the Authority shall notify the Clerk in writing and provide him/her with a copy of the petition not less than ten working days before a meeting of the Authority. On receipt of such petition the Clerk shall check that it relates to the work of the Authority and, if so, include an appropriate item on the agenda. All petitions addressed to the ITA shall be reported to the Authority at its next meeting.

## **Motions and Amendments**

- B.21** A Member may by notice of motion given in writing raise any matter relating to the functions of the Authority.
- B.22** Notice of every motion, other than a motion which under B.26 may be moved without notice, shall be signed by the Member giving the notice, and delivered not later than seven working days before the day of the meeting at the office of the Clerk, by whom it shall be dated.
- B.23** The Clerk shall include in the summons for every meeting all motions of which notice has been duly given in the order in which they have been received, unless the Member giving such notice indicated in writing, when giving it, that he/she proposed to move it at some later meeting, or has since withdrawn it in writing.
- B.24** If a motion included in the summons is not moved either by the Member who gave notice of the motion or by some Member on his/her behalf it shall, unless postponed by consent of the Authority, be treated as withdrawn and shall not be moved without fresh notice.
- B.25** No motion to rescind any resolution passed within the last six months shall be proposed unless the notice thereof bears the names of at least one third of the Members of the Authority. When any such motion has been disposed of by the Authority it shall not be open to any Member to propose a similar motion within a further period of six months unless the suspension of Standing Orders has been carried.
- B.26** The following motions and amendments may be moved without notice:
- (i) appointment of a chair of the meeting at which the motion is made;
  - (ii) motions relating to the accuracy of the minutes, closure adjournment, proceeding to the next business, or the motion "that the question be now put";
  - (iii) variation of the order of business;
  - (iv) appointment of a committee or members of committee, arising from an item on the agenda of the meeting;
  - (v) that leave be given to withdraw a motion;
  - (vi) the exclusion of a Member from a meeting while any contract, proposed contract or other matter in which he/she has a prejudicial interest is under consideration;
  - (vii) suspension of Standing Orders,
  - (viii) a motion under Section IOO(A)(4) of the Local Government Act 1972 to exclude the Press and Public;
  - (ix) that a Member named under Order B.34 be not heard further or do leave the meeting;
  - (x) that a deputation be received; or
  - (xi) giving the consent of the Authority where such consent is required under these Standing Orders.
- B.27** (i) Any member who intends to move an amendment to a motion included on the agenda for a meeting shall give written notice of the amendment (before noon on the day before the meeting) to the Clerk who will notify the Chair, the Vice Chair or other member likely to preside at the meeting.

- (ii) The Chair may in his/her discretion waive the requirements to comply with paragraph B.27(i) but unless there are exceptional circumstances, a request of the Chair to exercise such discretion should be made before the meeting.

**B.28 When a motion is under debate, no further motion shall be received except the following:**

- (i) to amend the motion (in these Orders called “an amendment”);
- (ii) that the Authority do now adjourn;
- (iii) that the debate be adjourned;
- (iv) that the question be now put; or
- (v) that the Authority proceed to the next business.

**B.29** If the motion “that the Authority do now adjourn” is carried, any outstanding business shall be printed on the agenda of the next ordinary meeting or of such meeting as shall be specified in the adjournment notice and given priority at the next meeting.

**B.30** If the motion “that the debate be adjourned” is carried, the discussion shall be resumed at the next ordinary meeting. When a debate resumes any member who would have had a right to speak or reply in the adjourned debate shall have the same right in the resumed debate.

**B.31** If the motion “that the question be now put” is carried, the motion or amendment under debate shall, subject to the right of reply of the mover of the original motion, be forthwith put.

**B.32** When a motion “that the Authority do proceed to the next business” is carried, no further debate shall take place on the matter under discussion.

**B.33** A motion or amendment may be withdrawn by the mover with the consent of his/her seconder and of the Authority, which consent shall be signified without debate, and no Member may speak upon it after the mover has asked permission for its withdrawal unless such permission shall have been refused.

### **Suspension of Standing Orders**

**B.34** Subject to Standing Order B.26 (vii) any Standing Order may be suspended so far as regards any business at the meeting where its suspension is moved, seconded and carried.

### **Rules of Debate**

**B.35** The following rules shall apply to the conduct of debate at meetings of the Authority:

- (i) Members shall address the Chair. A Member who speaks shall confine his/her remarks strictly to the motion or report under discussion or to a personal explanation or a question of order. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall immediately specify the Standing Order or statutory provision and the way it has allegedly been broken. No Member may use unbecoming or offensive language.
- (ii) The ruling of the Chair on a point of order or the admissibility of a personal explanation shall be final and shall not be open to discussion.
- (iii) Where a Notice of Motion has been placed on the agenda under Standing Order B.23, the Chair shall allow the mover the right of reply to the debate before putting the matter to the vote, but otherwise the conduct of the meeting shall be at the

discretion of the Chair.

- (iv) The Chair shall call the attention of the Authority to continued irrelevance, repetition, unbecoming language or a breach of order by a Member and shall direct such Member, if speaking, to discontinue his/her speech, or, if the Member does not do so, to leave the meeting.

### **Voting**

- B.36** The method of voting at meetings of the Authority shall be by show of hands. In the case of equality of votes the Chair shall have a second or casting vote. If any Member wishes to have his/her name recorded as having voted against any resolution he/she may require the Clerk to do so.
- B.37** Where there are more than two persons nominated for any position to be filled by the Authority, and on a vote being taken no person receives more than half the votes cast the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken and so on until a majority of the votes cast is given in favour of one person.

### **Code of Conduct and Protocols**

- B.38** Members shall comply with the Authority's Code of Conduct for Members and any other Codes or Protocols approved by the Authority.
- B.38A** A member must withdraw from the meeting room during the whole of the consideration of any item of business in which s/he has a Disclosable Pecuniary Interest, except where permitted to remain as a result of a dispensation.

### **Officers' Interests**

- B.39** If it comes to the knowledge of an officer employed by the Authority, whether under the Local Government Act 1972 or any other enactment, that a contract in which he/she has a pecuniary interest, whether direct or indirect has been, or is proposed to be, entered into by the Authority he/she shall as soon as practicable give notice in writing to the Clerk of the fact that he/she is interested therein. For the purposes of this Order an officer shall be treated as having indirectly a pecuniary interest in a contract if he/she would have been so treated by virtue of Section 95 of the Local Government Act 1972 had he/she been a member of the Authority ie the other party to the contract is a company or other person or body (other than a public body) of which the officer or his/her spouse is a member or employee or partner.

### **Financial Regulations**

- B.40** The Financial Regulations of the Authority are deemed to be incorporated in and have the same force of these Standing Orders.

### **Matters which will not admit of delay**

- B.41** Any matter which needs to be dealt with before the next meeting of the Authority may be dealt with by a Delegated Committee comprising the Chair, the statutory Vice-Chair and the Leader of the Opposition and the quorum of that Delegated Committee shall be two.

### **Questions**

- B.42** A Member may without notice ask questions of the Chair who may answer orally or indicate that he/she will provide the Member with a written answer as soon as practicable having regard to the information requested. Provided always that the Chair may decide not to answer on the grounds that discussion on a particular item would be premature, prejudicial to the public interest, or that the matter is to be the subject of a report to a future meeting.

## **C. SEALING OF DOCUMENTS**

- C.1** The Common Seal of the Authority shall be kept in a safe place in the custody of the Clerk, Deputy Clerk & Treasurer or Legal Adviser and the affixing of the Common Seal shall be attested by the Clerk, Deputy Clerk & Treasurer or Legal Adviser or a solicitor nominated by him/her.
- C.2** A decision of the Authority (or of a committee, sub-committee, person or persons to whom the Authority has delegated its powers and duties) shall be sufficient authority for the sealing of any document necessary to give effect to the decision.
- C.3** A record of the sealing of every document to which the Common Seal shall have been affixed shall be made and signed by the person who attested the Common Seal.
- C.4** Subject to Order C.2 the Common Seal of the Authority shall be affixed to those documents which in the opinion of the Clerk, Deputy Clerk & Treasurer or Legal Adviser or a solicitor nominated by him/her, require to be sealed.
- C.5** Subject to Order C.2 the Clerk, Deputy Clerk & Treasurer or Legal Adviser or a solicitor nominated by him/her, shall have authority to sign on behalf of the Authority such documents which in his/her opinion do not required to be sealed.

## **D. COMMITTEES**

### **Appointment of Committees and Sub-Committees**

- D.1** The Authority shall at its Annual Meeting each year appoint such committees as are required to be appointed by or under any statute and may at any time appoint such other committees or sub-committees as are necessary to carry out the work of the Authority but, subject to any statutory provision, may at any time dissolve a committee, sub-committee or alter its membership.
- D.2** No committee or sub-committee shall continue in office longer than the next Annual Meeting.
- D.3** The Standing Orders of the Authority shall apply to the proceedings of any committee or subcommittee except that the requirement for a quorum shall be reduced to three Members representing between them at least 3 constituent authorities, except for the Delegated Committee under Order B.41.
- D.4** The Standards Committee (and any sub-committee thereof) must be chaired by an Independent Member.

## **E. MATTERS AFFECTING INDIVIDUAL MEMBERS**

### **Attendance**

- E.1** The Clerk shall record the attendance of each Member at each meeting of the Authority, its committees and sub-committees and it shall be the responsibility of each Member to sign such record.
- E.2** The provisions of Order E. 1 shall not prejudice the right of a Member to ask that the record be corrected at the next meeting.

### **Failure to attend Meetings**

- E.3** Subject to the exceptions prescribed by statute, if a Member of the Authority fails throughout a period of six consecutive months to attend any meeting of the Authority, committee or sub-committee, he/she shall, unless the failure to attend was due to a reason approved by the Authority before the end of that period, cease to be a Member of the Authority. For the

purpose of this provision the period of failure to attend shall date from the first meeting which the Member could have attended as a member.

### **Resignation**

- E.4** A person appointed to the office of Chair or Vice-chair or Member of the Authority may at any time resign his/her office by a notice of resignation in writing signed by him/her and delivered to the Clerk and such resignation shall take effect upon receipt of that notice by the Clerk.

### **Appointments**

- E.5** A person, so long as he/she is a Member of the Authority, and for twelve months after he/she ceases to be a Member of the Authority, shall be disqualified from being appointed by the Authority to any paid office.
- E.6** A Member shall not solicit for any person any appointment under the Authority or recommend any person for such appointment or for promotion, but this Order shall not prevent a Member from giving a written testimonial of a candidate's ability, experience or character for submission to the Authority with an application for appointment.
- E.7** Canvassing of Members directly or indirectly for any appointment under the Authority shall disqualify the candidate for that appointment. A statement to this effect shall be included in every recruitment information for appointments.

### **F. BREACHES**

- F.1** Any breach or suspected or alleged breach of these Orders shall be reported immediately to the Monitoring Officer who shall determine whether the matter should be dealt with by the Standards Committee or can be dealt with under the Authority's Disciplinary and Appeals Procedure. A register of all such instances and the action taken, which shall be open to inspection, shall be maintained by the Monitoring Officer.