

**LIMERICK CITY  
AND COUNTY  
COUNCIL  
STANDING ORDERS  
FOR THE  
MUNICIPAL  
DISTRICT OF  
ADARE-  
RATHKEALE**

The Municipal District of Adare-Rathkeale, in exercise of its powers under the Local Government Act, 2001, as amended by the Local Government Reform Act 2014 hereby make the following Standing Orders for the regulation of its Meetings and Proceedings

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## **DURATION OF STANDING ORDERS**

1. These Standing Orders shall continue in force until altered, amended, or repealed. The Municipal District may, by Resolution, for which at least one half of the total number of Members of the District votes in favour, amend or revoke Standing Orders and make new Standing Orders.

## **APPLICATION OF STANDING ORDERS**

2. All Members must abide by the Standing Orders adopted by the Municipal District. The Standing Orders apply to the whole of the Meeting, including Meetings or parts of Meetings from which the public has been excluded. These Standing Orders apply to the Municipal District of Adare-Rathkeale and Committee Meetings.

## **MEETINGS OF THE MUNICIPAL DISTRICT**

3. Unless upon any occasion when it is otherwise fixed by Statute or by Resolution of the Municipal District, Ordinary Meetings of the Municipal District shall be held on the second Tuesday of each month except in the month of August.

## **HOUR OF MEETING**

4. The Meeting shall commence at 9.00am. (or any other time as shall be fixed by Resolution of the Municipal District or in the absence of such Resolution, by the direction of the Cathaoirleach) and shall continue until business is concluded or 11.30am., whichever first occurs. The Municipal District Members may, however, by Resolution on the Motion of a Member, extend the duration of a Municipal District Meeting to complete the Agenda.

## **PLACE AND ADDRESS OF MEETINGS**

5. In so far as practicable the place for holding Meetings of the Municipal District shall be in Áras Sean Finn, New Line Road, Rathkeale, County Limerick and Meetings shall normally be held there. The Municipal District Members may from time to time, by Resolution, appoint an alternative location for a particular Meeting.

## **ANNUAL MEETING**

6. In every year in which a Local Election is held the Annual Meeting shall be held on the date specified by the Local Authority, which shall be not later than 10 days after the Annual Meeting of the Local Authority, and not on an excluded day.
7. In every other year the Annual Meeting shall be on such day in the month of June as appointed by Resolution.
8. In an election year the Municipal District shall publish a Notice of its Annual Meeting on the website of the Local Authority immediately upon the setting of the date for this Meeting by the Local Authority. The Notice shall state the date of the Annual Meeting and that the first business of the Meeting will be the election of the Cathaoirleach and where appropriate, specify the bodies to which the Municipal District Members are entitled to make appointments at that Meeting or subsequently. The Notice shall be in a form and published within the period prescribed by regulations.
9. In the case of an Annual Meeting in an election year and until the election of the Cathaoirleach at such Meeting, the Chair shall be taken by a Member or an employee selected by the Meeting for this purpose. Any Member selected to chair this section of an Annual Meeting shall not have a second or casting vote and any employee of the Local Authority, if selected in accordance with this sub-paragraph, shall not have any vote.



10. In the case of the Annual Meeting in an election year the election of a Cathaoirleach is to be the first business of an Annual Meeting and the next business, the election of a Leas-Chathaoirleach.
11. In the case of an Annual Meeting in an election year, the business to be transacted after the election of the Cathaoirleach and the Leas-Chathaoirleach shall include the consideration of the election, appointment or nomination of Members of bodies elected, appointed or nominated by the Municipal District Members.

### **MEETING TO CONSIDER DRAFT BUDGETARY PLAN**

12. The Chief Executive shall consult with the Municipal District Members in the preparation of the Draft Local Authority Budget and for this purpose a Draft Budgetary Plan will be prepared. This Draft Budgetary Plan will allow the Municipal District Members determine the manner in which the General Municipal Allocation will be spent. The Draft Budget Plan shall be considered by the Municipal District Members within the period determined by the Minister and the deliberations shall be concluded at least 21 days prior to the date set for the Local Authority Budget Meeting.

### **SPECIAL MEETING**

13. A Special Meeting of the Municipal District Members may be convened at any time by the Cathaoirleach or if the office of Cathaoirleach is vacant or the Cathaoirleach is unable to act, by the Leas-Chathaoirleach or by the Cathaoirleach on foot of a request in writing presented to him or her by any 3 Members.
14. Where the Cathaoirleach refuses or neglects to act on foot of a request within 7 days of it being presented to her/him, the Members making the request may convene a Meeting.

### **SUMMONING OF MEETING**

15. A notification to attend a Meeting, other than a Meeting to consider the Draft Budget Plan shall (a) be sent or delivered to each Member of the District, (b) specify the place, date and time of the Meeting, and (c) give not less than 3 clear days notice. The 3 clear days shall only exclude (i) day for receipt of the notice, and (ii) the day of the Meeting. The notification of a Meeting will normally be circulated via electronic mail.
16. In the case of a Draft Budget Plan Meeting, 7 days notice shall be given.
17. A notification shall include or be accompanied by an Agenda listing the business to be transacted at the Meeting.
18. Subject to Standing Order No. 57 no business shall be transacted at a Meeting, or at any adjournment of such Meeting, other than that specified in the Agenda relating thereto, except with the permission of the Cathaoirleach.
19. In the case of a Special Meeting convened by requisition under Standing Order No. 13, a copy of the requisition shall be sent with the notification.
20. A notification shall have the signature of the Meetings Administrator and any document claiming to have that signature shall be deemed, until the contrary is proven, to have been duly issued or given with the Authority of the Municipal District Members.
21. Want of service or non-receipt of a notification by any Member or lack of a signature or any other defect in the notification does not affect the validity of a Meeting or of any act or thing done at the Meeting.

22. For the purposes of Standing Order No. 20 “signature” includes a facsimile of a signature by whatever process reproduced or a printed version of the name of the Meetings Administrator.

## **PUBLIC NOTICE OF MEETING**

23. Public Notice of the place, date and time of a Meeting other than a Draft Budget Plan Meeting shall be displayed not less than 3 clear days before the day of the Meeting in or at the place of the Meeting of the Municipal District, and the Principal Offices of the Local Authority, if different, in a position convenient for public inspection during normal office hours. The Notice shall also be published on the Councils’ website.
24. The Notice shall include the Agenda for the Meeting or specify a place where the Agenda can be inspected and in the case of a Meeting requisitioned under Standing Order No. 13 the Agenda shall include or be accompanied by a copy of the requisition.
25. A copy of the Public Notice of Meeting and Agenda shall be made available to the media.

## **CONSTITUTION OF MEETINGS**

26. The Chair shall be taken by the Cathaoirleach at a Meeting of the Municipal District within 15 minutes after the time appointed for such Meeting or in her/his absence by the Leas-Chathaoirleach or otherwise by a Member called thereto by general agreement or chosen by vote of the Members present to chair the Meeting. In the event of an equality of votes, the question shall be decided by lot. The person selected shall occupy the chair until the arrival of the Cathaoirleach or Leas Chathaoirleach.
27. The names of the Members attending shall be recorded in alphabetical order. All Members attending a Meeting of the Municipal District shall sign the Attendance Register provided for that purpose by the Meetings Administrator.
28. The quorum for a Meeting of the Municipal District shall be 3 Members (one-fourth of the total number of Members of the District plus 1 or, where one-fourth of such total number is not a whole number, the quorum is the next highest whole number plus 1).
29. No business shall be transacted unless the number of Members required to constitute a quorum is present. If, after the expiration of twenty minutes after the time appointed for the Meeting, a quorum is not present, the Municipal District Members shall rise and the Meeting shall stand adjourned to a day to be then named by the Cathaoirleach of the Meeting and the names of the Members in attendance when the roll is called shall be recorded in the Minutes, and they shall for all purposes be deemed to have attended a duly constituted Meeting.
30. If, at any stage during a Meeting of the Municipal District, any Member or the Meetings Administrator draws the attention of the Cathaoirleach to the fact that a quorum is not present, the Meetings Administrator shall call the roll and record the names of the Members then present and if it appears that the number of such Members is less than the number required to constitute a quorum, the Cathaoirleach shall either suspend the Meeting for a period not greater than twenty minutes, or adjourn the Meeting to a later date to be named by her/him. The remaining business will be considered at the next Ordinary Meeting .



## **ORDER OF BUSINESS**

31. **The Order of Business at all Meetings other than Annual Meetings, Draft Budget Plan Meetings and Special Meetings shall, subject to the provisions of any enactments, be as follows:**
  - (a) **Confirmation of Minutes.**
  - (b) **Business prescribed by statute to be transacted at the Meeting.**
  - (c) **Business submitted by the Chief Executive.**
  - (d) **Correspondence from Government Departments, or from other sources on matters already considered by the Council.**
  - (e) **Consideration of Reports and Recommendations.**
  - (f) **Letters and matters not requiring discussion.**
  - (g) **Notices of Motion adjourned from previous Meeting.**
  - (h) **Questions received since issue of Agenda for previous Meeting.**
  - (i) **Notices of Motion received since issue of Agenda for previous Meeting.**
  - (j) **Other business as set forth on the Agenda paper.**
32. **The Municipal District Members may by Resolution, without discussion, vary the order of business, so as to give precedence to any matter on the Agenda.**
33. **The Cathaoirleach shall have absolute discretion to refuse to accept any Motion which is not relevant to the business as set out on the Agenda.**
34. **In the case of a Meeting convened for a special purpose the business specified in the notification for such Meeting shall be transacted and no other business.**

## **CONFIRMATION OF MINUTES**

35. **Minutes of the proceedings of a Meeting of the Municipal District shall be drawn up by the Meetings Administrator.**

**The Minutes shall include -**

- (a) **the date, place and time of the Meeting,**
  - (b) **the names of the Members present at the Meeting,**
  - (c) **the names of the Senior Employees of the Local Authority present at the Meeting,**
  - (d) **reference to any report submitted to the Members at the Meeting,**
  - (e) **where there is a roll call vote, the number and names of Members voting for and against the Motion and of those abstaining,**
  - (f) **particulars of all Resolutions passed at the Meeting,**
  - (g) **such other matters considered appropriate.**
36. **3 clear days before any Meeting of the Municipal District, at which such Minutes are to be considered for adoption, a copy of such Minutes shall be sent or given by the Meetings Administrator to each Member of the Municipal District. The Minutes of a Meeting will normally be circulated via electronic mail.**
  37. **Minutes of a Meeting shall be submitted for confirmation as an accurate record at the next following Ordinary Meeting, where practicable, or where not, at the next following Meeting, and recorded in the Minutes of that Meeting.**
  38. **Any discussion of the Minutes except as to their accuracy shall be out of order and the Cathaoirleach shall rule accordingly.**
  39. **When confirmed, with or without amendment, the Minutes of a Meeting shall be signed by the person chairing the Meeting and any Minutes claiming to be so signed shall be received in evidence without proof. When the question that they be confirmed is put from the Chair, a Member may object to any part thereof as not being an accurate record and upon a**

Motion any question of altering the record shall be determined by the Municipal District Members by majority vote of those Members who were present at the appropriate Meeting. No entry shall be made in the Minutes of any protest other than a record of dissent, save in the form of a Motion or an Amendment.

40. A copy of the Minutes when confirmed in accordance with this Standing Order shall be open to inspection at the Principal Offices of the Council and any person may inspect and make a copy of, or abstract from, the Minutes during the usual office hours of the Council. A copy of the Minutes will also be available on the Authority's website.

## **QUESTIONS**

41. All Questions must be submitted, preferably via e-mail, to the Meetings Administrator of the Council, or such other staff member as may be designated by the Meetings Administrator, so as to be received by her / him at least 9 clear days before the Meeting of the Council, i.e. by 1pm on the Friday week prior to the Municipal District Meeting. Each Member shall be permitted to submit 3 Questions.
42. Questions shall be relevant to the business of the Municipal District and any dispute regarding relevancy shall be determined by the Cathaoirleach.
43. Questions which relate to the business of the Municipal District may only be submitted to the relevant District.
44. Written replies to Questions shall normally be circulated by electronic mail in advance of the Meeting and shall not be for discussion.

## **NOTICES OF MOTION**

45. All Notices of Motion shall be forwarded in writing to the Meetings Administrator of the Municipal District so as to be received by her/him at least 9 clear days before the Meeting of the Council i.e. by 1pm on the Friday week prior to the Municipal District Meeting. Such Notices shall be dated and numbered by the Meetings Administrator in the order in which they are received and the Meetings Administrator shall insert in the Summons for any Meeting of the Municipal District all Notices of Motion duly given in the order in which they have been received.
46. Notices of Motion shall be relevant to the business of the Municipal District. Any dispute regarding relevancy shall be determined by the Cathaoirleach.
47. All Notices of Motion submitted in accordance with Standing Order No. 45 above will appear on the Agenda of the next appropriate Meeting of the Municipal District. Motions will be referred by the Municipal District Members to the appropriate Committee of the Council for consideration if the Motion relates to a matter normally dealt with by the Committee or comes within the terms of reference of such Committee.
48. Any Notice of Motion which is out of order, or contains unbecoming expressions may be expunged from the Summons by order of the Cathaoirleach. In any case in which the Notice of Motion, is in her/his opinion, irregular or illegal, the Meetings Administrator to the Municipal District shall communicate that opinion to the Cathaoirleach and to the Councillor submitting that Notice.
49. The Cathaoirleach shall not accept any Motion involving the expenditure of money by the Municipal District in excess of the amount provided in the Annual Budget unless Notice of such Motion has been duly given and appears on the Agenda paper.



50. The Cathaoirleach shall have the absolute power to refuse or amend any Motion to secure compliance with Standing Orders after consultation with the Member responsible for the Motion.
51. Each Member shall be permitted to submit 2 Notices of Motion, which shall be relevant to the business of the Municipal District, for each Municipal District Meeting.
  - (a) A Notice of Motion signed by 1 or more Councillors shall be held to be a Notice of Motion from each Councillor signing same.
  - (b) For a Notice of Motion from a Municipal District to be valid all Members of the District must sign the Notice. In this case such Motion shall only be counted as a Motion from the proposer.
52. A Motion may be withdrawn by leave of the Meeting.
53. The following Motions may be made without Notice at a Meeting:-
  - (1) On matters expressly required by Statute to be done at the Meeting.
  - (2) By the Cathaoirleach on any matter which (s)he may deem necessary.
  - (3) On matters arising directly out of any business being discussed at the Meeting.
  - (4) For the resolution of the Municipal District Meeting into a Committee of the whole Municipal District Meeting.
  - (5) For the variation of the Order of Business.
  - (6) For the adjournment of the debate.
  - (7) That the question be now put.
  - (8) That the Municipal District Meeting proceed to the next business of the day.
  - (9) For the suspension of Standing Orders subject to compliance with Standing Order No. 124.
  - (10) For referring business to a Committee for inquiry, action and/or report.

#### **MOTIONS TO AMEND OR REVOKE RESOLUTIONS**

54. No Motion to rescind any Resolution which has been passed within the preceding 6 months, nor any Motion to the same effect as any Motion that has been rejected within the preceding 6 months, shall be in order, unless the Notice thereof shall have been given and specified in the Summons and the Notice shall bear the names of at least 3 Members and when any such Motion has been disposed of by the District, it shall not be competent for any Member to propose a similar Motion within a further period of 6 months.
55. It shall be necessary for the adoption of a Motion to rescind a Resolution of the Municipal District that not less than 4 Members vote in favour of the Motion to rescind.
56. A Resolution cannot be rescinded at the Meeting at which it was passed.

#### **MOTION FOR PURPOSE OF DEALING WITH URGENT BUSINESS**

57. Notwithstanding any other provisions of these Standing Orders, a Motion may be proposed without notice for the purpose of dealing with urgent business related to a function of the Municipal District, subject to the requirement that not less than three quarters of the Members present (being at least one half of the total number of Members of the Municipal District) vote in favour.
  - An Emergency Motion is one that due to its seriousness gives rise to an unexpected, urgent and potentially dangerous situation requiring immediate action of the Municipal District Members. The proposer of such a Motion must, in submitting the Motion, outline clearly why an emergency situation exists and why the Motion cannot be dealt with by way of Motion to the City and County Council or to the Municipal District Meeting as already provided for.



- A Motion which is deemed not to be an Emergency Motion will be listed for the next City and County Council Meeting or Municipal District Meeting as deemed appropriate.
- Emergency Motions must be submitted to the Meetings Administrator by 4.00 p.m. on the working day prior to the monthly Municipal District Meeting, unless related to an issue that has arisen after 4.00 p.m. on the working day prior to the Meeting. Emergency Motions received will be circulated to all Members prior to the Municipal District Meeting.
- The Municipal District Members may appoint a representative of the District to adjudicate on Emergency Motions submitted and determine in conjunction with the Cathaoirleach, as to whether or not they will be put before the Municipal District Meeting for consideration.
- In the absence of such a representative, the Cathaoirleach will make such determination in accordance with Standing Orders.

## **ADJOURNMENT OF MEETING**

58. A Motion for adjournment of the Municipal District Meeting may be made at any time and shall be determined without amendment and without debate, except that the mover of the Motion of adjournment and the mover of the Motion immediately affected by it, may each address the Municipal District Meeting for not more than 3 minutes on the question of the adjournment; and when the Motion for adjournment is adopted, the Meeting will stand adjourned to a day then named or in the event of no such date being named, to the next occurring Ordinary Meeting.
59. A Special Meeting may be adjourned from time to time until its business is concluded.

## **DISCLOSURE OF PECUNIARY OR OTHER BENEFICIAL INTERESTS**

60. Where a Resolution, Motion, Question or other matter is proposed or otherwise arises at a Meeting and a Member present at the Meeting has actual knowledge that she or he or a connected person (as referred to in Local Government Act 2001, Section 166) has a pecuniary or other beneficial interest in, or which is material to that matter, that Member shall
- disclose the nature of his or her interest, or the fact of a connected person's interest at the Meeting before discussion or consideration of the matter commences;
  - withdraw from the Meeting for so long as the matter is being discussed or considered;
  - take no part in the discussion or consideration of the matter and refrain from voting in relation to it.
61. Where a Member has actual knowledge that a matter is likely to arise at a Meeting at which that Member will not be present and which, if she or he were present, a disclosure would be required to be made under (a) above, that Member shall, in advance of such Meeting, make such disclosure in writing and furnish it to the Ethics Registrar and the Cathaoirleach.
62. The Minutes of the Meeting shall contain a record of any disclosure made under (a) or (b) above and any withdrawal from the Meeting.

## **MOTIONS AND AMENDMENTS**

63. Every Motion or amendment shall be moved and seconded, before being discussed or put to the Meeting. A Motion may be proposed either by the Member in whose name it stands or in her/his absence by any Member authorised by her/him to propose it on her/his behalf. Unless so proposed and seconded any Motion shall stand adjourned to the next Meeting and if not

then proposed or disposed of it shall not be again set down on the Agenda paper, except upon a new Notice of Motion.

64. Whenever an amendment upon an original Motion has been moved and seconded, no second or subsequent amendment shall be moved until the first amendment shall have been disposed of, but notice of any number of amendments may be given.
65. Every amendment shall be relevant to the Motion on which it is moved. The question of relevancy shall be determined by the Cathaoirleach at her/his absolute discretion.
66. If an amendment is rejected, other amendments may be moved on the original Motion. If an amendment is carried, the Motion, as amended, shall take the place of the original Motion and shall become the question upon which any further amendment may be moved.
67. Where there is only 1 amendment and it is carried, it shall then be taken to be the Motion and to be carried by the same voting.

## **RULES OF DEBATE**

68. A Member while speaking shall address herself/himself to the Cathaoirleach.
69. No Member shall speak for more than 3 minutes on any one issue without the consent of the Cathaoirleach, which shall be given only where the question under discussion is of exceptional importance.
70. Every Member shall have the option to stand or be seated when addressing the Municipal District Meeting.
71. While a Member is speaking she/he shall not be interrupted except on a point of order. A point of order shall relate only to an alleged breach of a Standing Order or Statutory Provision and the Member shall specify the Standing Order or Statutory Provision and the way in which she/he considers it has been broken.
72. A Member while speaking shall, if the Cathaoirleach so directs, give way to a Member wishing to raise a point of order or to make a personal explanation. The Member raising the point of order or making the personal explanation shall confine her/his input strictly to the Motion/amendment under discussion. A personal explanation shall be confined to some material part of a former speech which may appear to have been misunderstood.
73. When 2 or more Members indicate at the same time that they wish to speak, the Member called upon by the Cathaoirleach shall have precedence.
74. When, during a debate, the Cathaoirleach speaks, any Member then addressing the Meeting shall cease and no Member shall again speak until the Cathaoirleach has concluded.
75. A Member shall not address the Municipal District Meeting more than once on any Motion or amendment, but the mover of an original Motion may reply and in her/his reply shall strictly confine herself/himself to answering previous speakers and shall not introduce any new matter into the debate. However, a Member may speak to a point of order, or in personal explanation of some material part of a speech made by her/him which she/he believes to have been misunderstood.
76. A Motion or amendment once proposed and seconded shall not be withdrawn without the consent of the Municipal District Members.
77. A Member shall not be permitted to move or second more than 1 amendment to a Motion.



- 78.(a) Any Member of the Municipal District may, at the conclusion of any speech, move any 1 of the following Motions:-
- (i) That the debate be adjourned.
  - (ii) That the question be now put.
  - (iii) That the Municipal District Meeting proceed to the next business.
- (b) All of the above Motions must be seconded. The mover of any 1 of them may speak upon it for not more than 3 minutes, but the seconder shall not be permitted to speak beyond formally seconding it. Upon such a Motion being made, the mover of the original Motion may be heard in reply for 3 minutes after which the Motion authorised by this order shall be put without further debate.
- (c) If Motion (a)(i) is carried, the discussion shall be resumed at the next Meeting of the Municipal District and the Municipal District Members shall proceed to the next business.
- (d) The Cathaoirleach may refuse to put Motions (ii) or (iii) unless (s)he be of the opinion that the matter under discussion has been sufficiently debated.
- (e) If Motion (a)(ii) is carried the question under discussion shall be at once put.
- (f) If Motion (a)(iii) is carried the question under discussion shall be considered as dropped.
- (g) When any 1 of the above Motions has been put and rejected the same Motion may not be put again during the same debate without the permission of the Cathaoirleach.
- (h) No Member may discuss any other subject under cover of any Motions authorised by this order.
79. The Cathaoirleach shall have discretionary power to allow a Member to speak a second time but such permission shall be given only after every Member who desires to do so shall have spoken once.
80. No Member shall use offensive language or make personal remarks at the Meeting.
81. No Member of the Municipal District Meeting shall leave the Meeting without first having intimated to the Cathaoirleach her/his desire to withdraw.
82. Municipal District Meetings shall not, unless by permission of the Cathaoirleach, be addressed by any person not a Member of the Municipal District.
83. No Member shall disclose the content of any discussions in the confidential part of a Meeting. No Member shall disclose to any person (other than a Member of the District with a need to know) any matter which comes to their attention by virtue of their office as a Member where such disclosure would prejudice the interest of the District or would be contrary to law. If in any doubt advice should be sought from the Meetings Administrator.

## **DISORDERLY CONDUCT**

84. If at a Meeting any Municipal District Member, in the opinion of the Cathaoirleach notified to the Members, misconducts herself or himself by persistently disregarding the ruling of the Cathaoirleach, or by wilfully obstructing the business of the Meeting, the Cathaoirleach or any other Member may move "That the Member named be not further heard" and the Motion, if seconded, shall be put and determined without discussion.

85. If, in the opinion of the Cathaoirleach, any Member has been or is disorderly by persistently disregarding the ruling of the Cathaoirleach, or by behaving irregularly, improperly or offensively or by otherwise obstructing the business of the Meeting and the Cathaoirleach has conveyed his or her opinion to the Members present by naming the Member concerned, then the Cathaoirleach or any Member may move "That the Member named leave the Meeting" and the Motion, if seconded, shall be put and determined without discussion.
86. Where the Municipal District Members decide that a Member leave a Meeting, that Member shall immediately leave the Meeting and shall not be entitled to speak or to take any further part in that Meeting on that day.
87. Where, in the opinion of the Cathaoirleach, there is general disorder which impedes the orderly transaction of business or where a Member against whom it was resolved in accordance with Standing Order No. 86 that she or he leave the Meeting refuses to do so, the Cathaoirleach may adjourn the Meeting for such period as she or he considers necessary in the interests of order.
- 87(a) Where following a Motion under Standing Order No. 85 the Member refuses to leave the Meeting and the Meeting is adjourned under Standing Order No. 87, a further Motion may be put that the Member concerned was the cause of the Meeting being adjourned.
- 87(b) If, following a Motion under Standing Order No. 87(a), the Cathaoirleach expresses the opinion that the Member has continued to
- ▲ be disorderly by disregarding the ruling of the Cathaoirleach, or
  - ▲ behave irregularly, improperly or offensively, or
  - ▲ otherwise obstruct the business of the Meeting and
- the Cathaoirleach expresses this opinion to the Members present by again naming the Member concerned, then the Cathaoirleach or any Member may move "That the Member named be suspended for a specified period" and the Motion, if seconded, shall be put and determined without discussion. The period specified in this Motion shall be not less than 1 month and not more than 6 weeks.
- 87(c) Where at least two-thirds of the Elected Members present and voting decide that the Member be suspended, she/he shall be suspended with immediate effect from all Meetings of the Municipal District and any Committee of the Municipal District, for the period specified in the Motion.
- 87(d) If within 3 months of the end of a period of suspension, where at least two-thirds of the Elected Members present and voting decide that the Member concerned has again, or continued to
- ▲ be disorderly by disregarding the ruling of the Cathaoirleach, or
  - ▲ behave irregularly, improperly or offensively, or
  - ▲ otherwise obstruct the business of the Meeting and
- on the basis of a Motion moved by the Cathaoirleach or any Member "That the Member named be suspended for a specified period" in accordance with Standing Order No. 87(b) and the Motion, if seconded, shall be put and determined without discussion, she or he shall be again suspended with immediate effect from all Meetings of the Municipal District and any Committee of the Municipal District, for a specified period, but not exceeding 6 months. The period specified in this Motion shall be not less than 6 weeks and not more than 10 weeks.



- 87(e) Notwithstanding Standing Order No.'s 87(a) to 87(d), the Municipal District Members may at any Meeting subsequent to the imposition of the suspension and during the period of suspension, decide by Resolution to lift a suspension. Such Resolution, shall be considered at the earliest point on the Agenda possible, subject to the requirement under any enactment in relation to other specified business.
- 87(f) The Cathaoirleach shall indicate to the Meeting that the Chief Executive has sought consultations on arrangements for exclusion, or where necessary, removal from the Meeting, of any Member the subject of a Motion under this part of the Standing Orders. This shall be as a point of information only and there shall be no debate on this information.
88. No Members shall address the Cathaoirleach, unless from one of the seats reserved for the use of Members.

### **QUESTIONS, VOTES AND DIVISIONS**

89. Every Question shall, at the discretion of the Cathaoirleach, be determined either by a show of hands or by a vote, but any 3 Members may demand a vote. When a vote occurs the names of the Members voting for or against the Question or amendment shall be entered into the Minutes. Members shall vote in alphabetical order of their surnames.
90. All acts of the Municipal District Members and all Questions coming or arising before the District, may be done and decided by a majority of those Members who vote at such Meetings of the Municipal District for and against the doing of such acts or Questions, except when otherwise required by law or other provisions of these Standing Orders.
91. In the case of an equality of votes, the Cathaoirleach of the Meeting shall have a second or casting vote, except in the case of election of Cathaoirleach.
92. Where the Cathaoirleach considers that the outcome of a vote was unclear or not properly understood he or she shall be entitled to take a second or subsequent vote.

### **ATTENDANCE OF PUBLIC AND MEDIA**

93. The right of the public and representatives of the media to attend Municipal District Meetings is subject to the following:

Where the Municipal District Members are of the opinion that the absence of members of the public and representatives of the media from the whole or part of a particular Meeting is desirable because of the special nature of the Meeting or of an item of business to be or about to be considered at the Meeting or for other special reasons, the Municipal District Members may, by Resolution in respect of which at least one-half of the total number of Members vote in favour, decide to meet in Committee for the whole or part of the Meeting concerned. The Resolution in this instance shall indicate in a general way the reasons for the Resolution and those reasons shall be recorded in the Minutes of the Meeting.

94. Members of the public and representatives of the media will occupy the parts of the meeting room allotted to their use.
95. Members of the public shall be seated and maintain silence and observe any directions given by the Cathaoirleach or by any employee in attendance. Such employees are responsible for the execution of all measures necessary for the maintenance of order and decorum in and about the meeting room.
96. If a member of the public interrupts a Meeting at any time or endeavours, without the permission of the Municipal District Members, to address a Meeting the Cathaoirleach shall warn him or her and if the interruption continues shall order that person's removal.

97. In the case of a general disturbance in any part of the meeting room open to the public, the Cathaoirleach shall order that part to be cleared.
98. The Municipal District Members may, taking account of available space, limit the number of persons to be admitted to Meetings.

### **CAMERAS, SOUND RECORDING AND COMMUNICATIONS EQUIPMENT**

99. No cameras of any kind or sound recording or communication equipment may be used at Meetings of the Municipal District without the prior approval of the Municipal District Members.
100. Councillors are not permitted to receive or make telephone calls during Meetings and all electronic devices should be placed on silent.

### **DEPUTATIONS**

101. A request to receive a Deputation at a Meeting of the Municipal District shall be made in writing to the Meetings Administrator and shall include
  - (a) the name of the group or organisation and its role or purpose
  - (b) the name, address and telephone number of a contact person
  - (c) the issue or topic on which the Deputation wishes to address the District.
102. A request to receive a Deputation shall be considered by the Municipal District Members at their next Ordinary Meeting provided that such requests have been received in time to appear on the summons for the said Ordinary Meeting.
103. If the Members of the Municipal District agree to receive a Deputation it shall be received at the next following Meeting of the Municipal District unless the purpose of the Deputation concerns an issue/issues of County-wide or broader implications.
104. No more than 1 Member of the Deputation may address the Members except in reply to questions from Members.
105. No Deputation shall exceed 5 persons in number and the maximum duration of the address (inclusive of the reading of any supporting documentation) shall be 15 minutes.
106. When the members of a Deputation have addressed the Meeting, they shall withdraw from the Meeting. No discussion shall take place until the members of the Deputation have withdrawn from the Meeting.

### **ADVICE THAT EXERCISE OF RESERVED FUNCTIONS SHOULD BE BY THE LOCAL AUTHORITY**

107. Where the Chief Executive, following consultation with the Cathaoirleach or Leas-Chathaoirleach advises that any proposed exercise or performance of a Reserved Function should be by the Local Authority, no Motion or Resolution purporting to exercise or perform such function shall be put.
108. A Motion to decide to refer the matter to the Corporate Policy Group as to whether the function should be exercised and performed by the Elected Council of the Local Authority or by the Municipal District Members may be proposed and seconded at the Meeting and put for decision at the Meeting in accordance with Standing Order No. 63.



109. Any Reserved Function, the subject of advice from the Chief Executive in accordance with Standing Order No. 107 and referred to the Corporate Policy Group in accordance with Standing Order No. 108, shall not be exercised or performed unless and until the Corporate Policy Group indicates that it may be so exercised by the Municipal District Members.

## **COMMITTEES - GENERAL**

110. The Municipal District Members may from time to time appoint a Special Committee for a specific purpose. When appointing such a Committee it shall at the same time determine the number and names of Members to constitute such Committee. The quorum for any Committee, not being a Committee of the whole Municipal District, shall be one quarter of the total number of Members plus 1 subject to a minimum of 3. Where one quarter is not a whole number the next highest whole number plus 1 applies. The term of a Special Committee shall be for such period as the Municipal District Members may determine when appointing the Committee.
111. Every Special Committee at its first Meeting shall appoint a Chairperson from its Members and where practicable, fix the day and the hour of future Meetings.
112. In the Election of Committees, candidates shall be proposed and seconded and if the number so proposed and seconded does not exceed the number of vacancies, those proposed and seconded shall be declared elected. Should the number of those proposed and seconded exceed the number of vacancies a vote shall be taken. Notwithstanding anything contained above, the provisions of paragraph 18 of Schedule 10 of the Local Government Act 2001 and the requirements of any other enactment will apply to appointments to Committees.
113. Whenever a vacancy occurs in the membership of any Committee of the Municipal District Members, by reason of the death, resignation or disqualification of a Member, such vacancy shall be filled as soon as circumstances permit by the Municipal District Members after due notice.
114. In a Committee, a Motion or amendment may be proposed without a seconder and a Member may speak more than once to any Question, but otherwise the Rules of Order of the Municipal District Members, so far as they are conveniently applicable, shall govern all proceedings of Committees and the Member in the Chair at any Meeting of the Committee shall determine questions of order.
115. Every Committee in the whole of its proceedings shall be governed by the Standing Orders or Resolutions of the Municipal District Members affecting such Committee.
116. A copy of every Report of a Committee to be submitted to the Municipal District Members shall, before the submission thereof, be transmitted to every Member at least 3 days before Meetings of Municipal District Members, save in cases of urgency when reading of the Report to the Municipal District Members shall suffice.
117. Save for Meetings of such Committees as the Municipal District Members may specify from time to time, representatives of the media and the public may be present at Meetings of Committees of Municipal District Members. When confidential matters are under discussion Committees may decide to exclude such representatives from the Meeting or the relevant portion of the Meeting.
118. The Meetings Administrator shall summon a Meeting of any Committee at the request of the Cathaoirleach of the Committee, or any 3 of its Members, or whenever the Meetings Administrator deems it necessary in special circumstances that such a Committee shall meet.
119. The Cathaoirleach of the Municipal District Members shall be ex-officio a Member of every Committee except those where membership is fixed by Statute.

120. In the absence of the Cathaoirleach of a Committee, the Chair shall be taken by any Municipal District Member of the Committee agreed at the Meeting.
121. The Chair of each Committee shall be responsible to the Municipal District Members for the general management of the business entrusted to such Committee.
122. The Municipal District Members may resolve themselves into a Committee of the whole of the Municipal District Members for the transaction of business to be specified in the Resolution.
123. The decisions of the Committees of the Municipal District Members shall not become binding, except where otherwise provided in the Standing Orders, until approved by the Municipal District Members, unless the Members specifically empower these Committees to deal (without further reference to it) with certain matters, subject to the appropriate legal provisions.

### **SUSPENSION OF STANDING ORDERS**

124. (i) In any case of urgency or upon Motion made on a notice duly given, any 1 or more of the Standing Orders may be suspended at any Meeting, provided that two-thirds of the Members of the Municipal District present and voting shall so decide.
  - (ii) However, when Standing Orders are suspended to enable the debate to continue, only the item under discussion shall be considered. Remaining items awaiting discussion shall be included on the Agenda for the next Meeting.

### **INTERPRETATION OF STANDING ORDERS**

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

### **MATTERS NOT COVERED BY STANDING ORDERS**

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

### **VOTES OF CONGRATULATIONS AND GOOD WISHES**

127. Votes of Congratulations must be submitted in writing to the Cathaoirleach on the prescribed form at least 15 minutes before the commencement of the Meeting and these shall be read into the Minutes.



**MOTIONS OF SYMPATHY AND ADJOURNMENTS**

- 128. (i) Death of Sitting Member
  - (ii) Interment of near relative of Member taking place on day of Meeting (husband, wife, partner, son, daughter, mother, father, brother or sister).
  - (iii) Interment of Senior Official or near relative of Senior Official taking place on day of Meeting.
  - (iv) Recent death of near relative of a Member of the Council or Senior Official (husband, wife, partner, son, daughter, mother, father, brother or sister)
  - (v) Death of former Member
  - (vi) Death of Dignitary
- Meeting of the Municipal District to be Adjourned to another day
- Meeting of the Municipal District will stand adjourned for 15 minutes

**EXPRESSIONS OF SYMPATHY**

129. Expressions of Sympathy must be submitted in writing to the Cathaoirleach on the prescribed form at least 15 minutes before the commencement of the Meeting and these shall be read into the Minutes.

**REVOCATION AND COMMENCEMENT**

130. These Standing Orders shall come into operation on the 9<sup>th</sup> September, 2014.

The Seal of the City and County Council of Limerick was affixed hereto by:

  
**PAT DOWLING**  
**DIRECTOR OF SERVICE**

  
**EUGENE GRIFFIN**  
**SEO CORPORATE SERVICES**

