

KERRY COUNTY COUNCIL

STANDING ORDERS



(Schedule 10, Paragraph 16, Local Government Act 2001)

**Adopted by Kerry County Council on the 18 November,
2024**

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Kerry County Council

Standing Orders

A. ANNUAL MEETING IN AN ELECTION YEAR

1. In the case of an Annual Meeting in an election year and until the election of the Cathaoirleach at such meeting, the Chair for this period shall be taken by a member or an employee selected by the meeting for this purpose. Any member selected to chair an Annual Meeting under this subparagraph shall not have a second or casting vote and any employee of the local authority if so selected in accordance with this subparagraph shall not have any vote.

**(Section 37 Local Government Reform
Act 2014)
(Schedule 10, Paragraph 10 Local Government
Act 2001)**

2. At an Annual Meeting in an election year the Meetings Administrator, shall read out the names of persons duly elected as members of the local authority. Subject to this the election of a Cathaoirleach is to be the first business of an Annual Meeting and the next business, the election of a Leas Cathaoirleach.

**(Schedule 10, Paragraph 4 Local Government
Act 2001)**

B. MEETINGS OF THE COUNCIL

3. The Ordinary Meeting of the Council shall be held on the third Monday of each month. No Ordinary meeting will be held in August. Unless the Council otherwise decide by resolution, the Ordinary meetings will commence at 10.30 a.m. and finish at 5p.m. with a lunch adjournment from 1.30 p.m. to 2pm. The lunch adjournment may be varied by the Cathaoirleach to facilitate the orderly/ efficient management of the business being transacted. The Cathaoirleach may call a meeting at any time allowing for statutory notice thereof, on his / her own initiative, or on the requisition of any five Members of the Council.

**(Schedule 10, Paragraph 6(1)(c) Local Government
Act 2001)**

4. If the Cathaoirleach refuses to call a Meeting after a requisition for that purpose, signed by five members of the Council, has been presented to him/her, any five Members of the Council may forthwith, on that refusal, call a Meeting. If the Cathaoirleach (without so refusing) does not within seven days

after such presentation call a Meeting, any five Members of the Council may, on the expiration of those seven days, call a Meeting.

(Schedule 10, Paragraph 6(2) Local Government Act 2001)

5. The Chair at each Meeting shall be taken within twenty minutes after the time appointed for the opening of the meeting. If the Cathaoirleach is not present at the expiration of twenty minutes after the appointed time, the Chair shall be taken by the Leas- Cathaoirleach. If the Leas-Chathaoirleach is not present, the members present, provided they constitute a quorum (10), shall select one member to take the Chair. That person shall occupy the Chair until the arrival of the Cathaoirleach or the Leas-Chathaoirleach.

(Schedule 10, Paragraph 10, Local Government Act 2001)

C. QUORUM

6. The quorum of the Council shall be one-fourth of the total number of members of the Local Authority plus one. Where one-fourth of such total number is not a whole number, the quorum is the next highest whole number, plus one – i.e. 10. This provides for those Members in attendance physically and/or online, in accordance with Standing Orders.

(Schedule 10, Paragraph 11, Local Government Act 2001)

7. No business shall be transacted unless the number of members required to constitute a quorum (10) is present. If, after the expiration of twenty minutes after the time appointed for the Meeting, a quorum is not present, the Council shall rise and the Meeting shall stand adjourned to a day to be then named by the Cathaoirleach of the Meeting. Whenever a meeting of the local authority is abandoned owing to failure to obtain a quorum the names of those present at the time and place appointed for such meeting shall be recorded by the Meetings Administrator and they shall for all purposes be deemed to have attended a duly constituted meeting.

(Schedule 10, Paragraph 11(2), Local Government Act 2001)

8. If, at any stage during a Meeting of the Council, 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 him/her.

(Schedule 10, Paragraph 11(2), Local Government Act 2001)

D. PLACE OF MEETING AND ADDRESS OF PRINCIPAL OFFICES

9. In so far as practicable the place for holding meetings of the Council shall be the principal offices of the local authority and meetings shall normally be held there, provided that the Council may from time to time by resolution appoint an alternative location for a particular meeting.

The address of the principal offices for the purposes of these Standing Orders is Áras an Chontae, Rathass, Tralee.

(Schedule 10, Paragraph 2, Local Government

Act 2001)

E. NOTIFICATION OF MEETINGS

10. The notification to attend a meeting and Agenda, listing the business to be transacted will be forwarded by E-mail where possible or alternatively by postal delivery.

(Schedule 10, Paragraph 7, Local Government Act 2001)

F. PUBLIC NOTICE OF MEETING

11. Public notice of the place, date and time of a meeting other than a Local Authority Budget Meeting shall be displayed not less than 3 clear days before the day of the meeting in or at the principal offices of the Local Authority in a position convenient for public inspection during normal office hours. 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 4, the Agenda shall include or be accompanied by a copy of the requisition. The Local Authority shall also supply a copy of the public notice and agenda to the media and will also be available online on the Kerry County Council website

(Schedule 10, Paragraph 8, Local Government Act 2001)

G. ORDER OF BUSINESS

12. The order of Business at all meetings other than the Annual Meetings, Annual Budget Meetings and Special Meetings except where otherwise prescribed by law, shall be as follows:-

1. Report on CPG Meeting.
2. Confirmation of Minutes.
3. Business prescribed by Statute, Standing Orders or resolutions of the Council for transaction at such meeting
4. Consideration of reports from Committees and Officers of the Council.

5. Business adjourned from previous Meetings.
6. Opening of Tenders.
7. Items of an emergency nature as decided by the Cathaoirleach.
8. Notices of Motions in order of Notice.
9. Correspondence re. Conferences, Seminars, Training Events etc.
10. Correspondence – General
11. Matters arising from the Minutes as confirmed at No. 2 above.
12. Any Other Business.

(Schedule 10, Paragraph 9 & 16, Local Government Act 2001)

13. The order of Business may, with the approval of the Cathaoirleach, be varied, provided that such decision shall not affect any business required by Statute to be done before any other business at the meeting. Consideration of item No. 12.7/12.8 shall commence at 2.30 p.m. or sooner if the other items on the agenda have been considered.
14. The Cathaoirleach shall have power to refuse or accept any Items / Motions of an Emergency nature which are not relevant to the business, set out on the Agenda.
15. Replies to Notices of Motion shall be read by the Meetings Administrator (if required) before it is moved and seconded and put to the meeting.
16. 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.
17. Every Amendment shall be relevant to the Motion on which it is moved. The question of relevancy shall be determined by the Cathaoirleach.
18. If an Amendment be rejected, other Amendments may be moved, on the original motion. If an Amendment be 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.

H. CONFIRMATION OF MINUTES

19. Minutes of the proceedings of a meeting of a local authority shall be drawn up by the Meetings Administrator.
20. The minutes shall include –
 - a. the date, time and place of the meeting,

- b. the names of the members present at the meeting,
 - c. a list 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, and
 - g. such other matters considered appropriate.
- 21.** A copy of the minutes of a meeting shall be sent or given by the Meetings Administrator to each member of the local authority.
- 22.** 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.
- 23.** When confirmed, with or without amendment, the minutes of a meeting shall be signed by the person chairing the meeting they were submitted to for confirmation and any minutes claiming to be so signed shall be received in evidence without proof.
- 24.** A copy of the minutes of a meeting when confirmed in accordance with No. 22 above shall be open to inspection at the principal offices of the local authority and any person may inspect and make a copy of, or abstract from, the minutes during the usual office hours of the authority.
- 25.** A copy of the minutes shall be provided to any person applying for them on payment of such reasonable sum, if any, being a sum not exceeding the reasonable cost of supplying the copy, as maybe fixed by the local authority.

Agendae and Minutes of Council Meetings will be published on the Kerry County Council website when confirmed.

(Schedule 10, Paragraph 14 Local Government Act 2001)

I. PROCEDURE FOR DEALING WITH URGENT BUSINESS

- 26.** Emergency Notice of Motions must refer to urgent business or issues which have only arisen in the period between the deadline for receipt of routine Notices of Motion and the actual Meeting (in the 14 days preceding the meeting).

Such motions should not relate to matters which are before a Municipal District for consideration.

Urgent Notice of Motions should not deal with matters where statutory provision / formal processes exist or where statutory processes have been or are due to be followed.

The urgent Notice of Motion must be in writing and must be handed to the Cathaoirleach at the commencement of the meeting. The Cathaoirleach / Mayor will inform the Chief Executive.

Urgent Notices of Motion will be dealt with prior to the commencement of the Agenda Item on Notices of Motion.

At least one-half (16) of the total number of members of the authority must vote in favour of any such Notice of Motion for it to be a valid resolution of Council.

**(Schedule 10, Paragraph 16(4)(e) Local Government
Act 2001)
(Section 15(2) Local Government Reform Act 2014)**

27. The Definition of “Urgent Business” will be the decision of the Cathaoirleach.

J. CHIEF EXECUTIVE’S MANAGEMENT REPORT

28. An Elected Member shall address the Council for a period of no longer than two minutes in relation to the Chief Executive’s Report, save with the permission of the Cathaoirleach, and shall confine such an address only to matters included therein.

K. NOTICES OF MOTION

29. The Meetings Administrator shall have the power to refuse or amend any motion, after consultation with the member responsible for the motion, to secure compliance with Standing Orders.
30. Every Notice of Motion dated and signed by the Member or Members giving it, shall be delivered in writing, or email, to the Meetings Administrator and shall be recorded in order of their receipt and shall appear on the Agenda in that order. No Notice of Motion shall be set down on the Agenda for any meeting unless such Notice of Motion is delivered to the Meetings Administrator at least 14 clear days before the date of such meeting. However, where a Notice of Motion relates to a resolution of the Members in respect of outside bodies which requires no specific response from the Council, such Motions may be submitted up to 10 clear days before the date of such meeting.
31. Whilst at all times recognising the right of Members to bring relevant motions before Full Council Meetings, Municipal District Meetings are the appropriate forum for raising and discussing specific local issues. If the issue has not been resolved or addressed to the Member’s satisfaction within two months, or in cases where the Member wishes to raise an item of significant importance from their Municipal District, that Member, following discussions with the Meetings

Administrator may refer the matter to the Full Council by way of Notice of Motion.

32. No member shall have more than two Notices of Motion standing in his / her name on any Agenda. These shall be known as First and Second Motions and no second motion shall be considered until all first motions have been disposed of except with the approval of the Cathaoirleach. A Notice of Motion shall refer only to one specific matter. No joint motions will be accepted with the exception of motions from a Municipal District on behalf of all the members.
33. The Cathaoirleach shall rule on the order in which Notices of Motion are moved at the meeting.
34. If a Member is not present to move a Notice of Motion or, if it is not moved on his / her behalf, the Motion shall not be taken until all remaining Notices of Motion on the agenda are dealt with.
35. If a motion is moved on behalf of a councillor by another member the motion shall be moved without debate.
36. Where two or more Motions on the Agenda are identical or similar, the Cathaoirleach may opt to allow such motions to be moved simultaneously.
37. The following Motions may be made without Notice at a Meeting:-
 - On matters expressly required by statute to be done at the Meeting.
 - By the Cathaoirleach on any matter which (s)he may deem necessary.
 - On matters arising directly out of any business being discussed at the Meeting.
 - For the resolution of the Council into a Committee of the whole Council.¹
 - For the variation of the Order of Business.
 - For the adjournment of the debate.
 - That the question be now put.
 - That the Council proceed to the next business of the day.
 - For the Suspension of the Standing Orders subject to compliance with Standing Order No. 84.
38. Where a significant matter arises in a Municipal District, which impacts on another Municipal District/Parish, an Elected Member who is a member of the impacted Municipal District is entitled to include this matter, by way of Notice

¹(Section 45(4)(a) Local Government Act 2001)

of Motion, on the agenda for their Municipal District meeting, and if not satisfied with the response the matter can be included as a Notice of Motion at the next Full Council Meeting.

L. MOTIONS TO REVOKE

- 39.** A Motion to revoke or amend a resolution of the Council can only be made by notice inserted in the Agenda, and such notice shall specify the resolution to be revoked or amended and furnish the terms of the motion to be made. No such motion shall be allowed to appear on the Agenda to revoke or amend any resolution of Council within six months of the date of the adoption of such resolution except with the written consent of not less than 5 members of the Council. A resolution may not be revoked at the meeting at which it has been adopted.

It shall be necessary for the adoption of a motion to revoke or amend a resolution of Council that not less than 16 members (being not less than one-half of the total number of members of the Council) vote in favour.

(Schedule 10, Paragraph 16(4)(d), Local Government

Act 2001)

(Section 15(2) Local Government Reform

Act 2014)

- 40.** Subject to Standing Order 37 any matter decided or dealt with by the Local Authority or by way of resolution of the Full Council or on the report of a committee shall not be re-opened within 6 months of the date of such decision. This requirement also applies to a Notice of Motion. However, in respect of Notices of Motion, if there are exceptional reasons for a Member to re-open the matter within 6 months of it previously being considered by Full Council, following discussions with the Cathaoirleach and Meetings Administrator, that Member may refer the matter to the Full Council by way of a relevant Notice of Motion.

M. RULES OF DEBATE

- 41.** The Cathaoirleach, is the sole judge of order of business at the Council Meeting and has authority to maintain order and enforce prompt obedience to his / her ruling. When during a debate the Cathaoirleach speaks, all members shall give way to the Chair.
- 42.** No Member shall address the Chair in the Chamber, unless from one of the seats reserved for the use of Members. Where a Member is attending remotely, they will mute their microphone until such time as they are called upon by the Cathaoirleach to speak.
- 43.** No Member shall address the Chair in the Chamber, unless from one of the seats reserved for the use of Members. Where a Member is attending

remotely, they will mute their microphone until such time as they are called upon by the Cathaoirleach to speak.

- 44.** A Councillor will only speak when the Cathaoirleach indicates that he/she is to speak.
- 45.** A Member shall not address the Council more than once on any motion or amendment and shall not occupy the time of the Council for a longer period than three minutes save with the permission of the Cathaoirleach, but the mover of an original motion may reply before a vote is taken thereon, or on any amendment thereto, and in his / her reply shall strictly confine himself / herself to answering previous speakers and shall not introduce any new matter into the debate, provided always that a member may, with the permission of the Cathaoirleach, speak to a point of Order, or in explanation of some material part of a speech made by him / her which (s)he believes to have been misunderstood. A member shall not address the Council on an item of "correspondence" for a longer period than one minute.
- 46.** In relation to Notices of Motion only the Proposer and Secunder shall be permitted to address the Motion and other speakers shall be taken on the debate by way of amendment to the Motion or at the discretion of the Cathaoirleach. Each speaker on Notices of Motion shall be restricted to three minutes.
- 47.** If a Motion, notice of which is specified on the agenda, be not moved either by the member who has given the notice or by some other member on his / her behalf, and with his / her permission, when it comes on in due course it shall, unless postponed by leave of the Council, be considered as dropped and must be re-submitted for inclusion in any future agenda.
- 48.** A Motion or Amendment once made and seconded shall not be withdrawn save with the consent of the Council.
- 49.** A Member who speaks shall direct his / her speech strictly to the motion or amendment under discussion, or to a question of Order.
- 50.** A Member shall not be permitted to move or second more than one amendment to a Motion.
- 51.** Every Amendment shall be relevant to the Motion on which it is moved and its validity shall be decided by the Cathaoirleach.
- 52.** A. Any member of the Council may at the conclusion of any speech move any one of the following motions:-

- i. That the debate be adjourned.
 - ii. That the question be now put.
 - iii. That the Council proceed to the next business.
 - B. All of the above motions must be seconded. The mover of any one of them may speak upon it for not more than five 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 five minutes, after which the motion authorised by this order shall be put without further debate.
 - C. If motion (i) be carried, the discussion shall be resumed at the next meeting of the Council and the Council shall proceed to the next item of business.
 - D. The Cathaoirleach may refuse to put motions A (ii) or A (iii) if (s)he be of opinion that the matter under discussion has been sufficiently debated.
 - E. If motion A (ii) be carried the question under discussion shall be at once put to the meeting.
 - F. If motion A (iii) be carried the question under discussion shall be considered as dropped.
 - G. When any one of the above motions has been put and defeated the same motion may not be put again during the same debate without the permission of the Cathaoirleach.
 - H. It shall not be permitted for a member under cover of any of the motions referred to in 'A' above to discuss any other subject.
- 53.** The Cathaoirleach may at any time propose a motion which (s)he may at her/his discretion put after or without debate, "That the Council do now adjourn" either for a short time or until a future date, and, if carried, the Council shall at once adjourn, and, on the expiration of the period named, resume the business which was under discussion.

N. VOTING

54. Without prejudice to any enactment or other provisions of these Standing Orders requiring either the presence of a specified number or proportion of the members or that a specified number or proportion should vote in favour for the doing of any particular act, all acts of the Council which are reserved functions or questions duly coming or arising before a meeting of the Council shall be determined by a majority of the members present and voting or where there is an equality of votes, by a second or casting vote of the person chairing the meeting (which person shall have and may choose to exercise such a vote).
55. Each member present at a meeting of the Council shall have a vote unless prohibited by any enactment.
56. Every question shall at the discretion of the Cathaoirleach be determined either by unanimous agreement or a roll call vote but any three members may demand a roll call vote. When a roll call vote is taken the names of the members voting for and against the question or amendment shall be entered in the Minutes.

In any matters to which Section 112 of the Local Government Act, 2001 applies, a poll shall be taken and recorded in the Minutes.

57. Where the Cathaoirleach has not formally declared the result of a vote, or is in doubt as to whether his / her declaration is right or wrong, (s)he is entitled if (s)he thinks fit to take a second vote on the matter, especially if s /he considers that through some misunderstanding the first vote did not properly represent the sense of the meeting at that time.

O. DISORDERLY CONDUCT

58. When any member shall be called to Order by the Cathaoirleach, the member so called shall immediately resume his / her seat and shall not again address the Council until the Cathaoirleach shall have disposed of the question of Order.
59. Any member of the Council who, in the opinion of the Cathaoirleach, transgresses any Standing Order or refuses to obey the ruling of the Cathaoirleach may be called upon to resume his / her seat by the Cathaoirleach. If (s)he persists in his / her refusal to obey the ruling of the Chair, 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. If the motion is passed by a majority of those present and

voting the 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. Any member so suspended shall forthwith quit the Council Chamber. If the member refuses to leave the meeting the Cathaoirleach may adjourn the meeting for such period as he or she considers necessary in the interests of order. Consequently if Council passes a further resolution that the member was the cause of the meeting being so adjourned the member's remuneration and allowances for expenses incurred shall be reduced for a period of 12 months in accordance with Section 57 of the Local Government Reform Act 2014. Following further breaches the member may be suspended for periods of 1, 3 or 6 months in accordance with Section 57(d) of the Local Government Reform Act 2014.

**(Schedule 10, Paragraph 13 Local Government
Act 2001)
(Section 57(d) Local Government Reform
Act 2014)**

- 60.** If the Cathaoirleach considers that the Meeting, owing to disorder, cannot continue, the Cathaoirleach may adjourn such meeting either for a short time or until a future date, and upon such adjournment the meeting shall not resume until such date and time as the Cathaoirleach shall decide.

P. DEPUTATIONS

- 61.** Approval for the reception of deputations at Municipal District meetings will be a matter for the members of the relevant Municipal District. A request for the reception of a Deputation shall specify the group or body seeking the Deputation (including the names and contact details of the representative) and shall detail the specific matter / matters to be raised as part of the Deputation.

Where a request for a deputation is before a Municipal District for consideration or has been approved by a Municipal District then no Notice of Motion on that issue should be submitted or considered from any Councillor at either full Council or Municipal District.

Approval for the reception of deputations at Municipal District meetings will be a matter for the members of the relevant Municipal District.

Q. COMMITTEES

- 62.** The Council may from time to time appoint any special committee for a special purpose and may in the resolution of appointment lay down terms of reference for the said Committee. It is necessary for the passing of a resolution to establish a committee that at least one-half (16) of the total number of members of the local authority concerned vote in favour of the resolution.

(Section 51(2)(b) Local Government

Act 2001)

(Section 15(2) Local Government Reform

Act, 2014)

63. Every Special Committee at its first meeting shall appoint a Chairperson from its members and where practical, fix the day and the hour of future meetings. The quorum for a meeting of a committee shall be such as may be fixed by the local authority which established it but in no case shall be less than 3. Strategic Policy Committees shall be established in accordance with Departmental Regulations, Guidelines and Circulars.

(Schedule 10, Paragraph 17(2) Local Government Act, 2001)

64. The Cathaoirleach shall be an ex-officio member of every committee or sub-committee representative of the full Council except in the case of committees regulated by statute.
65. The Chair of any Committee, sub-committee or special committee shall have a second or casting vote in the event of a tie.
66. The decisions of committees of the Council shall not become binding until approved by the Council, unless the Council specifically empowers these committees to deal (without further reference to them) with matters of urgency.

(Section 51(2) Local Government

Act 2001)

67. The Standing Orders regulating debate and voting shall apply mutatis mutandis to all Meetings of committees of the County Council subject to where a Committee regulates its own business and proceedings by adopting its own Standing Orders.
68. Committees may appoint Sub-Committees of their number for facilitating the transaction of business, who shall report to the Committee, but such Sub-Committee shall not have power to transact any business without express authority from the Committee. The Chair of any Committee shall be ex-officio a Member of all its Sub-Committees.

R. CASUAL VACANCY

69. Where the person causing a casual vacancy, was a non party candidate, at the time of his/her election to the Local Authority the vacancy shall be filled by

a simple majority of those present and voting at the meeting and the Council will be obliged to implement the following:-

Where the person causing a casual vacancy was a non-party candidate at his / her election to the local authority, the vacancy shall be filled by a person nominated by the non-party member. In the event of the non party member not being in a position to so nominate, the entitlement to nominate shall rest with the non party member's immediate family and/or recognised associates.

(Section 19 Local Government Act 2001)

S. ATTENDANCE OF PUBLIC AND MEDIA

- 70.** The right of the public and representatives of the media to attend Council meeting is subject to the following:-

Where the council is of 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 Council may, by resolution in respect of which, at least one-half of the total number of members vote in favour, (16) 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.

(Section 45 Local Government Act 2001)

(Section 15(2) Local Government Reform Act, 2014)

- 71.** Members of the public and representatives of the media will occupy the parts of the Council Chamber allotted to their use.
- 72.** The public shall be admitted subject to the total number not exceeding 30 persons. This restriction is due to the space available in the public gallery in order to comply with fire safety procedures and health and safety requirements.
- 73.** Members of the public shall be seated and maintain silence and observe any directions given by the Chair 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 Chamber.

74. If a member of the public interrupts a meeting at any time or endeavours, without the permission of the council to address a Meeting, the chair shall warn him or her and if the interruption continues shall order that person's removal.
75. In the case of a general disturbance in any part of the Council Chamber open to the public, the Chair shall order that part to be cleared.
76. Other than Official live-streaming/recording of meetings of the Council no cameras of any kind or sound recording or communication equipment may be used at meetings of the Council without the prior approval of the Council.
77. The making and receiving of calls on mobile phones by members, officials, press and the public is strictly prohibited in the Council Chamber while meetings are in progress.
78. The Council during their sitting shall not be addressed by any person not a member of the Council, other than officials of the Council presenting reports or information for consideration, persons from other bodies specifically invited to address the Council on issues affecting the Council business and dignitaries / visitors where the prior approval has been given by the Council. All other requests to address the Council shall be treated as requests for a deputation and shall be dealt with in accordance with Orders 61 to 63 inclusive.
79. There shall be no interaction between elected member and members of the public/press in the Council Chamber while Council meetings are in progress.

T. PRESENTATIONS TO COUNCIL

80. A request to make a presentation to the full Council will, in the first instance, be considered by the CPG who will make a recommendation to Council. The final decision will rest with the full Council.

U. MISCELLANEOUS

81. Newspapers are not to be read or placed on the tables or seats of the Council Chamber while the Council is sitting.
82. The interpretation of the Standing Orders by the Cathaoirleach shall be final and no debate may arise therefrom.

V. MEMBERS DUTIES UNDER PART 15 LOCAL GOVERNMENT ACT 2001 (ETHICS)

83. Members will ensure compliance with Ethics legislation in relation to any business being conducted and make the required declaration where relevant and leave the meeting while the item is being considered. All such declarations will be recorded in the minutes of the meeting and a copy will be placed in the Ethics Register.

W. SUSPENSION OF STANDING ORDERS

84. Standing Orders may, on motion made by, or with the permission of the Cathaoirleach, be suspended so far as regards any particular business under consideration at any meeting provided that not less than two-thirds of the members present vote in favour of such suspension.

KERRY COUNTY COUNCIL ADDITIONAL STANDING ORDERS REGULATING THE PROCEEDINGS OF THE COUNCIL IN HOLDING REMOTE MEETINGS

Purpose

These Standing Orders provide for remote meetings of Kerry County Council, the Municipal Districts of Tralee, Killarney, Listowel, Kenmare and Castleisland-Corca Dhuibhne and committees/sub-committees given the designation of the Kerry County Council in the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 (Section 29) (Local Authorities) (Designation) Order 2020 (S.I. No. 445 of 2020).

Remote

Meetings

1. Given the designation of local authorities, the meetings of the local authority may now be held at
 - the Council Chamber, or other Council buildings
 - an external venue used to accommodate meetings of the council
 - one or more Council buildings or rooms, linked remotely
 - an electronic, digital or virtual location, web address or a

conference call telephone number

- a combination of the above to provide for physical and/or remote attendance by elected members

2. These Standing Orders are supplementary to Standing Order No. 9 of the Kerry County Council Standing Orders of 21st October 2019 and Standing Order No. 6 of the Standing Orders of the Municipal Districts of Tralee, Killarney, Listowel, Kenmare and Castleisland-Corca Dhuibhne.

Management of Remote Meetings

3. Members should notify their Meetings Administrator in advance if they intend to attend the meeting remotely.
4. Any member participating in a meeting remotely must, when they are speaking or voting, be able to be seen and heard by all other members in attendance. Only in exceptional circumstances should audio-only methods be used, and this will be at the discretion of the Cathaoirleach at the time of the meeting. The remote participant must, in turn, be able to hear (and see, where practicable) those other members participating.
5. Each member participating remotely has personal responsibility to ensure and confirm to the Meetings Administrator, that there are no other persons present who are not entitled to be either hearing or seeing consideration of such items, and/or recording the proceedings.
6. The Cathaoirleach will at the outset, and at any reconvening of a meeting, call a roll call of participating members and ensure that they can hear and, where practicable, see those in attendance. Any member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can hear and, where practicable, see the proceedings. Members should inform the Meetings Administrator/designated person by telephone call if they lose connection.
7. The attendance of those members at the meeting will be recorded by the Meetings Administrator.
8. The normal quorum requirements for meetings as set out in the Council's Standing Orders will also apply to a remote meeting. Members attending physically and remotely will together constitute a quorum.

Meeting Procedures

9. The Meetings Administrator will coordinate the facilitation of the meeting. An appropriate official will assume responsibility for controlling the conferencing technology employed for remote access and attendance, and to administer the member interaction, engagement and connections on the instruction of the Cathaoirleach.
10. Members should allow sufficient time to establish a connection prior to the commencement of the meeting to allow themselves and the Meeting Administrator the opportunity to test the connection.

11. The Cathaoirleach, at the beginning of the meeting will explain the protocol for members' participation:
 - a. Confirm details of the Council Meeting which is being held remotely e.g. "This is the November 2020 Ordinary meeting of Kerry County Council"
 - b. Ensure that a roll call of members and senior officials attending has been carried out.
 - c. Advise that the attendees' microphones should be muted unless the Cathaoirleach indicates that they may speak.
 - d. Set out that Members or Officials must notify the Cathaoirleach by electronic or other means if they wish to contribute.
 - e. In accordance with Standing Order No. 76 of the Kerry County Council Standing Orders recording of the online meeting is prohibited.
12. The ruling of the Cathaoirleach during the debate will be final.
13. The rules of debate as set out in existing Standing Orders will apply. Where the Cathaoirleach deems it necessary, meeting attendees' microphones may be muted to ensure the effective management of the meeting.

Voting

14. A vote taken remotely in accordance with the Standing Orders of the local authority constitutes a valid vote towards the decision of the Council.

In certain circumstances, where the right to form groups for certain appointments is to be utilised, as provided for in Schedule 10 of the Local Government Act 2001, a roll-call of those Members who are present at the meeting at the time the business of making the appointments is reached, will be taken. This is to facilitate the utilisation of the grouping process. The procedure for the roll call is as follows:-

- a. The Meetings Administrator calls each Member's name individually and immediately repeats the call if there is no initial response.
- b. The Meetings Administrator in sequence completes the roll call concluding with the Cathaoirleach.
- c. At this point the Meetings Administrator will call out the names of the Members recorded as present allowing any Member who may not be recorded to clarify their presence.
- d. At this point the Meetings Administrator will declare this list as the official attendance for the purpose of the roll call of attendance taken for this item.

The process to be followed when using the procedure is set out in Schedule 10, a copy of which will be circulated with the Directors report in relation to this item where it arises.

15. Where a Member loses connectivity during a statutory vote every effort will be made to re-establish a connection. During this time, the voting roll call will continue.

Leaving a Remote Meeting

16. Members leaving the meeting should make every effort to inform the Cathaoirleach by the appropriate means that they are exiting the meeting to ensure there is a Quorum remaining and so that it is not presumed to be a loss in connectivity.

Declaration of Interests

17. Any Member participating in a remote meeting who declares a disclosable pecuniary or other beneficial interest, under Part 15 of the Local Government Act 2001, in any item of business that would normally require them to leave the room, must also leave the remote meeting, advising the Cathaoirleach and members at the time of departure and this shall be recorded in the minutes. Their departure will be confirmed by the Meetings Administrator, who will invite the relevant Member to re-join the meeting at the appropriate time. Their time of return shall be recorded in the Minutes.

Attendance of Public and Media at a Remote Meeting (Section 45(3) Local Government Act 2001 – 2014)

18. Members of the public and media may be present at a remote meeting but must maintain silence and observe any directions given by the Chair or by any employee in attendance.
19. Members of the media and public should give prior notice of joining virtually. To manage numbers and attendance, the meetings administrator will utilise electronic invitations compatible with the platform in use. Attendance numbers may be limited by the technology being utilised for the meeting.

MEETINGS IN COMMITTEE

20. In line with the provisions of Section 45 of the Local Government Act 2001, the Council may by resolution decide to meet in committee for the whole or part of the meeting concerned.
21. Should the Council elect to meet in Committee for some or all of the meeting the Meetings Administrator or designated person will ensure that there are no members of the public or media in remote attendance or remotely accessing the meeting or are able to hear or see the proceedings once the exclusion has been agreed by the meeting.
22. Where the Council has by resolution decided to meet in committee for the whole or part of the meeting concerned, each member participating remotely has personal responsibility to ensure and confirm to the Meetings Administrator, that there are no other persons present who are not entitled to be either hearing or seeing consideration of such items, and/or recording the proceedings, in accordance with Standing Orders.
23. Attendance at in Committee meetings will be recorded by the Meetings Administrator, and confirmed by roll-call, with Members confirming their attendance and that there are no other persons present who are not entitled to either hear or see consideration of such items and are not recording same.