

CORK CITY COUNCIL

STANDING ORDERS

For the Regulation of the Business of the Council and of the Committees thereof

MEETINGS OF COUNCIL

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1A Meetings of the Council

The Council shall, in addition to meetings held in pursuance of statutory provision in that behalf, hold ordinary meetings for the transaction of general business on the second Monday of each month at 5.30p.m. or at such other hour or day as may from time to time be fixed by statute or by resolution of the Council. Reflecting the business needs of the Council, an additional quarterly meeting may be held on the months which have a fifth Monday, if required to deal with items of a themed nature. Meetings of Council shall not extend beyond 8.00 p.m. except with the Suspension of Standing Orders pursuant to Standing Order No. 7B herein, and subject to the additional requirement that not less than 16 members would vote in favour.

1B Place of Meeting and Address of Principal Office

- (1) In so far as practicable the place for holding meetings of the Council shall be the Principal Office of Cork City Council and meetings shall normally be held there.
- (2) The Council may, from time to time, by resolution appoint an alternative location for a particular meeting, to conduct particular business or to mark a particular event or occasion.
- (3) The address of the principal office for the purposes of these Standing Orders is: City Hall, Cork.

1C Summoning of Meetings

- (1) Notification to attend a meeting, other than a Local Authority Budget Meeting shall:
 - (a) be sent or delivered to each Member of the Council,
 - (b) specify the place, date and time of the meeting; and
 - (c) give not less than 3 clear days notice.
- (2) In the case of a meeting requisitioned under Section 140 of the Local Government Act, 2001, or convened under Section 34 or Section 146 of the Local Government Act, 2001 the relevant section applies in relation to such meeting.
- (3) A Notification to attend a meeting shall include or be accompanied by an Agenda listing the business to be transacted at the meeting. Subject to Standing Order No. 3A para. 9 (p) , no business shall be transacted at a meeting other than that specified in the Agenda which relates to the meeting, or business required by the Local Government Act 2001 or otherwise by law to be transacted at the meeting.
- (4) An Agenda which has been sent or delivered for this purpose may be altered (whether by way of addition, deletion or otherwise) if an Agenda specifying the alteration is delivered or sent to each Member not less than 3 clear days before the day on which the meeting is to be held.
- (5) 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 proved, to have been duly issued or given with the authority of Cork City Council.
- (6) 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.
- (7) For the purposes of this Standing Order “signature” includes a facsimile of a signature by whatever process reproduced or a printed version (whether original or a facsimile), of the name of the Meetings Administrator and printed version of that name (whether original or a facsimile), shall be deemed to have been duly placed on the document by or with the consent of the Meetings Administrator until the contrary is proved.
- (8) The Meetings Administrator, or an officer designated by the Meetings Administrator, shall, where practicable, advise An tArdmhéara in advance as regards the business of a meeting.

1D Public Notice of Meetings

- (1) 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 Office of the City Council in a position convenient for public inspection during normal office hours.
- (2) 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. 2C or under Section 140 of the Local Government Act, 2001 the Agenda shall include or be accompanied by a copy of the requisition.
- (3) Subject to any arrangements as it may make, the City Council shall supply a copy of a public notice and agenda to the media.
- (4) The Agenda for a meeting of the City Council shall be posted to the City Council website, www.corkcity.ie, three days before the day of the meeting.
- (5) On request, the City Council shall supply a copy of a public notice and agenda to any person seeking such a copy, in respect of which it may charge such fee, if any, as it may fix, but that fee shall not exceed the reasonable cost of providing the copy.
- (6) Failure to display, or to supply a notice or to upload an agenda by virtue of this Standing Order does not affect the validity of a meeting or of any act or thing done at the meeting.

1E Chairing of Meetings

- (1) An tArdmhéara, if present, shall chair each meeting of Council.
- (2) If, and for so long as, An tArdmhéara is not present, or the office of Ardmhéara is vacant, An Leas-Ardmhéara shall chair the meeting if he or she is present, but shall leave the Chair on the arrival at the meeting of An tArdmhéara or, in the case of a meeting to fill a casual vacancy in the office of Ardmhéara in accordance with Section 38 or 41(2) of the Local Government Act, 2001, following the election of an tArdmhéara at that meeting.
- (3) In any other case, the meeting shall proceed to the election of one of the Members present to chair the meeting and such Member shall leave the Chair on the arrival at the meeting of An tArdmhéara or An Leas-Ardmhéara.
- (4) It is the duty of An tArdmhéara, An Leas-Ardmhéara or any other Member who is required in accordance with this Standing Order to chair a meeting to take the Chair and to proceed with the business of the meeting.
- (5) Any power or duty of An tArdmhéara in relation to the conduct of a meeting, may be exercised by the person chairing the meeting.

1F **Quorum**

- (1) The quorum for a meeting of the Council shall be nine. Whenever a Member shall state to An tArdmhéara that nine Members are not present, the Meetings Administrator shall immediately call the roll, and if nine Members do not at such roll-call answer to their names, An tArdmhéara shall declare the meeting at an end.
- (2) When it appears by the numbers recorded in any division that less than nine Members of the Council have voted/abstained in such division, the question at issue shall remain undetermined and not transacted. The consideration of any business not transacted shall be adjourned to a Council meeting at a time fixed by An tArdmhéara at the time the meeting is declared at an end, or if he/she does not fix a time, to the next Ordinary Meeting of the Council.
- (3) Whenever a meeting of the City Council is abandoned owing to failure to obtain a quorum the names of those Members 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. Any Member not recorded as being in attendance at the abandonment of the meeting shall not be deemed to have attended the meeting.

1G Order of Business

- (1) Except as otherwise provided by Paragraph (2) of this Standing Order, the Order of Business at all meetings other than Annual Meetings, Local Authority Budget Meetings, and Special Meetings shall, subject to the provisions of any enactments, be as follows:
 - (a) the Meetings Administrator shall call the roll, record the attendance of Members and ascertain that a quorum is present;
 - (b) in the event of the absence of An tArdmhéara and the Leas-Ardmhéara, the election of one of the Members present to chair the meeting;
 - (c) the recitation of an opening prayer; followed by a brief period of silent reflection.
 - (d) any business required by statute to be done before any other business;
 - (e) consideration of any matter which An tArdmhéara, or in his absence An Leas-Ardmhéara, may bring specially before the meeting;
 - (f) approving as a correct record and signing the minutes of the last meeting of the Council;
 - (g) the holding of Question Time, subject to the provisions of 17 below;
 - (h) to deal with any business expressly required by Statute, Standing Orders or Resolutions of the Council for transaction at such meeting,
 - (i) in the case of a meeting summoned for a special purpose the business specified in the summons for such meeting shall be transacted and no other business,
 - (j) to deal with any business left not transacted from a meeting that was either adjourned or abandoned,
 - (k) the receipt and consideration of the reports of the Chief Executive,
 - (l) the receipt and as appropriate the consideration of reports, minutes of meetings and recommendations of Corporate Policy Group, Strategic Policy Committees and all other Committees of the Council and minutes of meetings of Local Area Committees,
 - (m) note the minutes of the meetings of the Local Area Committees;
 - (n) the consideration of correspondence, including memorials, petitions etc., which have been received,
 - (o) motions, of which notice shall have been received in the order of their respective dates, shall be disposed of, save those which do not relate to the powers, functions and duties of the City Council which Motions shall be disposed of at the conclusion of the business of the Council Summons. Any dispute as to whether a Motion relates to the powers, functions and duties of the City Council shall be put to a vote and 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.

- (p) the hearing of any deputations waiting on the Council, unless the Council decides either not to receive such deputation, or to refer the deputation to an appropriate committee,
 - (q) the authorisation of the sealing of documents,
 - (r) the election of Members of the external boards and joint Committees on which some such Members shall be lawfully appointed,
 - (s) the deciding upon the constitution, mode of appointment, powers, and duties of Committees,
 - (t) the transaction of any other business of the Council summons not hereinbefore provided.
- (2) A motion to consider an item arising from a meeting by a Local Area Committee at full Council must be approved by the relevant Local Area Committee. This action will require a Proposer and Seconder at the Local Area Committee to request a notice of motion to appear before Council if the Committee considers it is required. This is only to be used on an occasional basis and it shall be determined by the An tArdmheara whether to allow the motion to be dealt with at the Council meeting at which it is brought forward (Ref. 3(A).1.7).
- (3) Resolutions, Part VIIIs and business that require full Council approval will be discussed and noted at Local Area Committees. These reports that require Council approval will be tabled in the main Agenda for Council in its Order of Business (ref 1.G).
- (4) Any motion for consideration and not relating to the powers, functions and duties of the City Council, and not having been transacted due either to the abandonment or adjournment of an earlier meeting or the non-attendance of the Member who gave notice thereof, shall be disposed of at the conclusion of the Council Summons in order of their respective dates, notwithstanding (1)(j) above.
- (5) Business falling under items (a), (b), (c), and (d) of paragraph (1) shall not be displaced but subject thereto, the foregoing order of business may be varied by resolution passed on a motion, (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion, provided always that such decision shall not affect any business required by statute to be done before any other business at the meeting.
- (6) The setting out of the business in an incorrect manner, or the taking of an item or items in an order other than as set out above does not affect the validity of a meeting or of any act or thing done at the meeting.

1H Confirmation of Minutes

1. (1) Minutes of the proceedings of a meeting of the City Council 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 City Council 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 numbers and names of Members voting for and against the Motion and of those abstaining,
 - (f) particulars of all resolutions passed at the meeting, including the names of those proposing and seconding the resolution.
 - (g) such other matters considered appropriate.
- (2) A copy of the minutes of a meeting shall be sent or given by the Meetings Administrator to each Member of the City Council.
 - (3) 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.
 - (4) When confirmed with or without amendment, the Minutes of the meeting shall be signed by the person chairing the meeting they were submitted to for confirmation and any Minutes claimed to be so signed shall be received in evidence without proof. No discussion shall take place upon the minutes, except upon their accuracy. 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 Council by a majority vote of those Members who were present at the appropriate meeting; provided that 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.
 - (5) Until the contrary is proved, every meeting in respect of the proceedings of which Minutes have been confirmed, shall be deemed to have been duly convened and held and all the Members of the meeting shall be deemed to be duly qualified.
 - (6) A copy of the Minutes of the meeting, when confirmed in accordance with this Standing Order shall be opened to inspection at the Principal Offices of the City Council. Any person may inspect and make a copy of or abstract from the Minutes during the usual office hours of the City Council.
 - (7) A copy of the Minutes shall be made available on Cork City Council's website.
 - (8) 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 may be fixed by the City Council. The City Council shall make proper arrangements for the safekeeping of the Minutes of the Council.

1J Record of Attendance at Meetings and Address for Correspondence

- (1) The attendance of each member present at a meeting shall be entered by that member in a record kept for that purpose by Cork City Council.
- (2) Where any provision of the Local Government Act, 2001 provides for the delivery or sending of a document to a member, such document shall be sent to the address supplied in writing by the member.
- (3) Where any provision of the Local Government Act, 2001 provides for the delivery or sending of a notice to the Chief Executive, Meetings Administrator or to the principal offices of Cork City Council, such notice shall be sent or delivered to the address of such office of Cork City Council as shall be fixed for that purpose by the Chief Executive, the address for this purpose being City Hall, Cork.

1K **Miscellaneous**

- (1) A printed copy of these Standing Orders shall be sent or delivered by the Meetings Administrator to each member on his or her coming into office, or as soon as practicable thereafter, and as soon as may be practicable after new Standing Orders have been made.
- (2) A copy of any amendment to Standing Orders shall likewise be supplied to each member.
- (3) The ruling of An tArdmhéara as to the construction or application of any of these Standing Orders, shall be final.
- (4) Throughout these Standing Orders, if not inconsistent with the context, the following terms shall have the meanings hereinafter assigned to them:
 - (a) “Lord Mayor” shall include a locum tenens of the Lord Mayor.
 - (b) “Chief Executive” shall mean the Chief Executive of Cork City Council.
 - (c) “Chairman” shall mean the Chairman for the time being of a meeting of Council or of a Committee, sub-committee as the case may be.
 - (d) “Election Year” shall mean the year in which a local election is held.
 - (e) “Excluded day” shall mean a day which is a Saturday, Sunday or Public Holiday (within the meaning given by the Organisation of Working Time Act, 1997) or any other day on which the principal office of Cork City Council is closed.
 - (f) “The Minister” shall mean the Minister for the Department of Housing, Planning and Local Government
- (5) In the computation of time for the purposes of these Standing Orders, Saturdays, Sundays and Holidays shall be reckoned as included.

CATEGORY OF COUNCIL MEETING

2A ANNUAL MEETING

2B LOCAL AUTHORITY BUDGET MEETING

2C SPECIAL MEETING

2A Annual Meeting

- (1) In every year in which a local election is held the Annual Meeting shall be held on the 14th day after the polling day or, where the poll is for any reason countermanded, interrupted or adjourned, after the day on which the poll is completed or the fresh poll is held.
- (2) Where the 14th day is an excluded day¹ the meeting shall be held on the next following day which is not an excluded day.
- (3) In every other year, the Annual Meeting shall be held on such day, in the month of May or June, as Council shall by resolution appoint.
- (4) Whenever an Annual Meeting is for any reason not held on the appointed day the Meetings Administrator shall, following consultation with An tArdmhéara (or if the office of An tArdmhéara is vacant or he/she is unable to act, with the Leas-Ardmhéara) convene a meeting for a day which the Meetings Administrator considers to be the earliest convenient date for that purpose.
- (5) In an election year, Cork City Council shall publish a notice of its Annual Meeting in at least one newspaper circulating in the City of Cork. The Notice shall state the date of the Annual Meeting and where appropriate, that the first business of the meeting will be the election of An tArdmhéara, and specify the joint bodies and other bodies to which Cork City Council is entitled to make appointments at that meeting or subsequently. The Notice shall be in a form and published within the period prescribed by regulations.
- (6) In the case of an Annual Meeting in an election year and until the election of An tArdmhéara at such meeting, An Cathaoirleach 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 paragraph shall not have a second or casting vote and any employee of the City Council if so selected in accordance with this paragraph shall not have any vote. At an Annual Meeting in an election year the Meetings Administrator shall read out the names of persons duly elected as Members of the City Council. Subject to this, the election of An tArdmhéara in accordance with sections 36 and 37 of the Local Government Act, 2001 is to be the first business of an Annual Meeting, except in a case where An tArdmhéara has been elected by direct election in which case the election of An Leas-Ardmhéara shall be the first business. Where An tArdmhéara is elected in accordance with sections 36 and 37 of the Local Government Act, 2001 the next business will be the election of An Leas-Ardmhéara.
- (7) In the case of the Annual Meeting in an election year the business to be transacted after the election of An tArdmhéara and An Leas-Ardmhéara shall include the consideration of the election, appointment or nomination of Members of joint bodies or other bodies elected, appointed or nominated by the City Council.
- (8) Every member of a joint body who has been elected, appointed or nominated by the Council and is in office as such Member, at the date of an election to Cork City

¹ “Excluded day” means a day which is a Saturday, Sunday or public holiday (within the meaning given by the Organisation of Working Time Act, 1997) or any other day on which the principal offices of the Local Authority concerned are closed; cf Section 2(1) of the Local Government Act, 2001.

Council, shall continue to hold office as such member of such joint body until his or her successor is appointed unless he or she sooner dies, resigns, is disqualified, removed from office or otherwise ceases to be a Member of Cork City Council or a member of the joint body, as the case may be, other than by way of reaching the ordinary day of retirement of Members of a Local Authority.

2B Local Authority Budget Meeting

1. (1) A Local Authority Budget Meeting shall be held, in accordance with, and within the period prescribed by regulations made by the Minister for the purposes of Section 103 of the Local Government Act, 2001 as amended by the Local Government Reform Act 2014. Every person who is a Member of the City Council shall, despite any other Standing Order to the contrary, be sent not less than fourteen days clear notice of the calling of the Budget Meeting together with a copy of the draft budget and the report of the City Chief Executive thereon.
- (2) The Council may by resolution adjourn, at any time, the Budget Meeting, provided however that no such adjournment shall be to a day not within the period of 21 days beginning on the day the Budget Meeting begins. At the Budget Meeting, or any adjournment thereof, the Council may by resolution amend by addition, omission, or variation the draft Budget and shall adopt the draft Budget with or without amendment.
- (3) The Council shall subject to Section 10 of the Local Government (Financial Provisions) Act 1978 by resolution determine in accordance with the Budget as so adopted the annual rate on valuation to be levied for the several purposes specified in the Budget.
- (4) The Council shall at its Budget Meeting adopt such statutory resolutions as may be required, including resolution approving over-expenditure in accordance with Section 104 of the Local Government Act, 2001.
- (5) A Local Authority Local Adjustment Factor for the Local Property Tax meeting shall be held, in accordance with, and within the period prescribed by regulations made by the Minister for the purposes of
- (6) The Council shall subject toby resolution determine in accordance with the local property tax and budget adopt the local adjustment factor to be set for the several purposes specified in the budget.
- (7) Standing Order no. 3D shall, with any necessary modification, apply to the Local Property Tax Adjustment factor for the LPT meeting.

2C Special Meeting

1. (1) A Special Meeting of the Council to deal with the matter/ matters relating to the powers, functions and duties of the City Council may be convened at any time directly by An tArdmhéara (or if the office of Ardmhéara is vacant or An tArdmhéara is unable to act, by An Leas-Ardmhéara), or by An tArdmhéara on foot of a requisition in writing presented to him/her by any five Members.
- (2) Where An tArdmhéara refuses or neglects to act on foot of a request within 7 days of it being presented to him/her, the Members making the request may convene the Special Meeting in accordance with the following paragraphs of this Standing Order.
 - (a) A requisition shall be made in writing and be delivered by An tArdmhéara (or in his/her absence by An Leas-Ardmhéara) or in a case where An tArdmhéara refuses or neglects to act on foot of a request presented to him/her by any five Members, by the Members making the requisition, as the case may be, to the Meetings Administrator.
 - (b) A requisition delivered to the Meetings Administrator shall be signed by the person or persons making it, as the case may be, and shall -
 - (i) contain as an agenda a statement of the business which it is proposed to transact at the Special Meeting, and
 - (ii) specify a day, other than an excluded day¹, which is not less than 3 clear days after the day on which it is received by the Meetings Administrator, for the holding of the Special Meeting.
 - (c) On receipt of a requisition the Meetings Administrator, shall, unless it is a case to which the following paragraph applies, issue a notification under Standing Order No. 1C, together with a copy of the requisition to each Member of Council and give public notice under Standing Order No. 1D for the Special Meeting required by the requisition.
 - (d) Where,
 - (i) a requisition presented to An tArdmhéara by any five Members specifies a day for the holding of a Special Meeting, and
 - (ii) an Ordinary Meeting of the City Council is to be held on a day within the period of 10 days after the day on which the Meetings Administrator receives the requisition,the business stated in the requisition shall be considered at that Ordinary Meeting and the Special Meeting shall not be convened.

- (3) A Special Meeting may be adjourned from time to time until its business is concluded.

MOTIONS, QUESTIONS, ORDER OF DEBATE, VOTING

3A NOTICES OF MOTION

3B QUESTIONS TO THE CHIEF EXECUTIVE

3C MOTIONS TO AMEND OR REVOKE RESOLUTIONS

3D ORDER OF DEBATE

3E DISORDERLY CONDUCT

3F VOTING

3A Notices of Motion

1. (1) Every Notice of Motion, other than a motion which under Standing Order No. 3A para (9) may be moved without notice, shall be given in writing and subject to paragraph 3A para (3) have the signature of the Member or Members of the Council giving the same.
- (2) A Notice of Motion shall be delivered, either:
 - (a) In hard copy to the office of the Meetings Administrator before 5.00 pm on the Wednesday of the week prior to the date of the meeting at which it is to be heard, or
 - (b) By e-mail to motions@corkcity.ie to be received no later than 11.59 pm on the Wednesday of the week prior to the date of the meeting at which it is to be heard.
- (3) The Meetings Administrator shall date and number motions in the order in which they are received, and shall enter them into a book which shall be open to the inspection of every Member of the Council.
- (4) For the purpose of this Standing Order “signature” includes a facsimile of a signature by whatever process reproduced or a printed version, whether original or facsimile of the name of the Member or Members and a printed version of that name or names, whether original or facsimile, shall be deemed to have been duly placed on the notice of motion until the contrary is proved.
- (5) The Meetings Administrator shall set out in the summons for every meeting of the Council all motions of which notice has been duly given in the order in which they have been received, unless the Member giving such a notice intimated in writing, when giving it, that he/she proposed to move it at some later meeting, or has since withdrawn it in writing.
- (6) If a motion thus set out in the summons be not moved either by a Member who gave notice thereof or by some other Member on his/her behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (7) If any Notice of Motion of which notice has been duly given relates to a matter normally dealt with by a Committee, or comes within the terms of reference of any Committee or Committees, it shall be referred to such Committee or Committees as the Meetings Administrator may determine. Any dispute on such reference shall be determined by An tArdmhéara. Provided that An tArdmhéara may, if he/she considers it convenient and conducive to the dispatch of business, allow the Motion to be dealt with at the meeting at which it was brought forward.
- (8) It shall be the duty of the Meetings Administrator when any notice of Motion of any illegal or an irregular character shall be given, to inform the Council of his/her opinion thereon, for the guidance of the Members; and when any such motion appears in the Council Summons, or any illegal or irregular recommendation shall appear on the minutes of any Committee, the Meetings Administrator shall append a note thereto, intimating his/her opinion that same is illegal or irregular.

- (9) The following motions and amendments may be moved without notice:
- (a) Appointment of a Chairman of the meeting in the absence of An tArdmhéara,
 - (b) Motions relating to the accuracy of the minutes,
 - (c) Remission to a Committee,
 - (d) Appointment of a Committee or members thereof, occasioned by an item mentioned in the summons to the meeting,
 - (e) That leave be given to withdraw a motion,
 - (f) Amendments to motions,
 - (g) That the Council proceed to the next business,
 - (h) That the question be now put,
 - (i) That the debate be now adjourned,
 - (j) That the Council do not adjourn,
 - (k) Authorising the sealing of documents.
 - (l) Suspension of Standing Orders in accordance with Standing Order No. 30.
 - (m) Motions to exclude the Public,
 - (n) That the Member named be not further heard or do leave the meeting;
 - (o) Giving consent of the Council where the consent of the Council is required by these Standing Orders,
 - (p) Motions for the purpose of dealing with urgent business related to a function of the City Council, subject to the requirement that not less than 16 Members [being at least one-half of the total number of Members of Cork City Council] vote in favour, provided that such number voting in favour shall be not less than two-thirds of the Members present and voting at the meeting.
- (10) Each Member shall be limited to proposing and moving a maximum of four motions at Council Meetings, either operational or policy, for which notice is required to be given under these Standing Orders save otherwise than with the approval of An tArdmhéara.
- (11) A motion to consider an item arising from a meeting by a Local Area Committee at full Council must be approved by the relevant Local Area Committee. This action will require a Proposer and Seconder at the Local Area Committee to request a notice of motion to appear before Council if the Committee considers it is required. This is only to be used on an occasional basis and it shall be determined by the An tArdmheara

whether to allow the motion to be dealt with at the Council meeting at which it is brought forward (Ref. 3(A).1.7))

3B Questions to the Chief Executive

- (1) Any Member may submit a question to the Chief Executive for written reply to an Ordinary Meeting of Council relating to the business of the Council or to a Local Area Committee meeting that he/she is a member of and relating to the business of that Committee. Notice of such question shall be given in hard copy to the office of the Meetings Administrator before:
 - 5.00 p.m. on the Monday of the week prior to the date of the meeting at which it is due to be answered, or
 - by e-mail to be sent to motions@corkcity.ie to be received no later than 11.59 pm on the Monday of the week prior to the date of the meeting at which it is due to be answered.
- (2) No discussion shall be permitted to take place thereon, provided always that if the Meetings Administrator shall state that in his/her opinion the reply to such question may prejudicially affect the rights of the Council, such question shall not be answered unless the Council shall, on a division which thereupon be taken without discussion, decide that an answer shall be given to such a question.
- (3) Question time shall be regulated as follows:
 - (a) Each Member to be allowed ask one question per meeting,
 - (b) A maximum time of one half hour to be devoted to Question Time,
 - (c) The question must relate to the powers, business of the City Council and be otherwise in order,
 - (d) A Member wishing to ask a question to give seven clear days notice in writing to the Chief Executive, with an indication of whether an oral or written reply is required; written replies to be tabled for information of Members,
 - (e) Questions to be listed in order of receipt and circulated to Council,
 - (f) Only the questioner to be allowed to ask one supplementary question,
 - (g) No discussion to take place on a question save with the consent of the Council/ An tArdmhéara or, in the case of a question for reply to a Local Area Committee meeting, An Cathaoirleach of the Local Area Committee.
- (4) Direction is given to Council to be concise in his/her questions and to the Chief Executive to be expansive in his/her response.

3C Motions to Amend or Revoke Resolutions

- (1) A motion to revoke or amend a resolution of the Council can only be made on 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; but no such motion shall be allowed to appear on the Agenda to revoke or amend any resolution of Council within three months of the date of the adoption of such resolution. No motion or amendment to the same effect as one which has been rejected or negatived within the preceding three months shall be proposed or be in order.
- (2) Any motion to revoke, amend, add to or otherwise alter an arrangement or agreement entered into under Section 75 of the Local Government Act, 2001 may only be considered by Council after first being considered by the International Relations Committee.
- (3) It shall be necessary for adoption of a motion to revoke or amend a resolution of the 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.

3D Order of Debate

1. (1) A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless notice has already been given in accordance with Standing Order No. 3A it shall, if required by An tArdmhéara, be put into writing and handed to An tArdmhéara, before it is further discussed or put to the meeting.
- (2) A Member when seconding a motion or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- (3) A Member when speaking shall stand and address An tArdmhéara. If two or more Members rise An tArdmhéara shall call on one to speak; the other or others shall then be seated. While a Member is speaking the other Member shall remain seated, unless rising to a point of order or with the permission of An tArdmhéara in personal explanation.
- (4) A Member shall direct his or her speech to the question under discussion, or to a point of order in personal explanation. No speech shall occupy the time of Council for a longer period than 7 minutes if the motion under consideration deals with a Council policy item, or 3 minutes if the motion deals with an operational item and An tArdmhéara shall determine the designation of the motion; longer time for any speech shall be allowed only with the permission of An tArdmhéara.
- (5) A Member who has spoken on any motion shall not speak again while it is the subject of debate, except:
 - (a) to speak once on an amendment moved by another Member;
 - (b) if the motion has been amended since he/she last spoke, to move a further amendment;
 - (c) in exercise of a right conferred by paragraphs (10) or (12) of the Standing Order;
 - (d) on a point of order;
 - (e) by way of personal explanation.
- (6) An amendment shall be relevant to the motion and shall be either:
 - (a) to refer a subject of debate to a committee for consideration or re-consideration;
 - (b) to leave out words;
 - (c) to leave out words and insert or add others;
 - (d) to insert or add words;
 - (e) no amendment under (b) to (c) by way of omission, insertion or addition of words shall have the effect of negating the motion before the Council or creating the opposite effect to the original motion, and an t-Ardmhéara shall be the sole arbiter in this regard.

- (7) Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion shall be disposed of. No amendment shall be discussed without first being seconded. An tArdmhéara shall have discretion in how amendments are to be taken and may permit two or more amendments to be discussed (but not voted on) together if he considers that this course would facilitate the proper conduct of the Council's business.
- (8) If an amendment be lost, 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 motion upon which any further amendment may be moved.
- (9) A Member may with the consent of the Council signified without discussion:
- (a) alter a motion of which he has given notice, or
 - (b) with the further consent of his seconder alter a motion which he has moved provided however the alteration is one which could be made as an amendment thereto.
- (10) A motion or amendment may be withdrawn by the mover with the permission of his/her seconder and of the Council, which shall be signified with discussion, and no Member may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.
- (11) The mover of a motion has the right to reply at the close of the debate on the motion, immediately before it is put to the vote and in his reply shall strictly confine himself/herself to answering previous speeches and shall not introduce any new matter into debate. The mover of an amendment shall have no right of reply to the debate on his/her amendment.
- (12) When a motion is under debate no other motion shall be moved except the following:
- a. to amend the motion;
 - b. to adjourn the meeting in accordance with Paragraph (13) hereof;
 - c. to adjourn the debate in accordance with Paragraph (13) hereof;
 - d. to proceed to the next business in accordance with Paragraph (13) hereof;
 - e. that the question be now put to accordance with Paragraph (13) hereof;
 - f. that a member be not further heard;
 - g. by An tArdmhéara under Standing Order No. 3D that a Member do leave the meeting;
 - h. a motion to exclude the public.

- (13) A Member may move without comment at the conclusion of a speech of another member. “That the Council proceed to the next business”, “That the question be now put”, “That the debate be now adjourned”, or “That the Council do now adjourn”, on the seconding of which An tArdmhéara shall proceed as follows:
- (a) A Member moving that the Council shall now proceed to the next business, or that the debate be now adjourned, may speak for not more than five minutes and if the motion is seconded, it shall be seconded without a speech. An tArdmhéara shall then call on the mover of the motion under discussion to speak to the motion just moved, and subject thereto, the latter motion shall be forthwith put to the vote;
 - (b) On a motion that the question be now put; unless in his/her opinion the matter before the meeting has been insufficiently discussed he/she shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion his/her right of reply under paragraph (10) of this Standing Order before putting his/her motion to the vote:
 - (c) On the motion to adjourn the meeting; if in his/her opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion he/she shall put the adjournment motion to the vote without giving the mover of the original motion his/her right of reply on that occasion; and if 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.
- (14) A Member may rise on a point of order and shall be entitled to be heard forthwith.

3E Disorderly Conduct

- (1) The Chair is the sole judge of Order in the Council and has authority to maintain order and enforce prompt obedience to his/her ruling. When during a debate the Chair raises, any member then speaking shall give way to the Chair.
- (2) If at a meeting any member of the Council, in the opinion of the Chair notified to the Council, mis-conducts himself or herself by persistently disregarding the ruling of the Chair or by wilfully obstructing the business of the meeting, the Chair 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.
- (3) If in the opinion of the Chair any member has been or is disorderly by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively or by otherwise obstructing the business of the meeting, and the Chair has conveyed his or her opinion to the members present by naming the member concerned, then the Chair or any member may move “That the member named leave the meeting” and the Motion, if seconded, shall be put and determined without discussion.
- (4) Where the Council decides 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.
- (5) Where in the opinion of the Chair there is general disorder which impedes the orderly transaction of business, or where a member against whom it was resolved that he or she leave the meeting refuses to do so, the Chair may adjourn the meeting for such period as he or she considers necessary in the interests of order.

3F Voting

- (1) Each member present at a meeting of the Council shall have a vote unless prohibited by any enactment.
- (2) 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 of 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.
- (3) The mode of voting at meetings of the Council shall be by roll-call and shall be recorded so as to show how each Member present and voting gave his/her vote. The name of any Member present and not voting shall also be recorded. In the case of an equality of votes An tArdmhéara shall have a second or casting vote. In the case of equality of votes and An tArdmhéara does not exercise his/her casting vote the motion or amendment shall be deemed to have been lost. No protest or expression of dissent shall be received by An tArdmhéara or entered on the minutes of the Council.

ATTENDANCE OF PUBLIC & MEDIA

4A ATTENDANCE OF PUBLIC AND MEDIA

4A Attendance of Public and Media

1. The right of the public and representatives of the media to attend Council meetings /Local Area Committee (LAC) meetings is subject to the following:
 - (1) Where the Council/ Local Area Committee 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/ Local Area Committee 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.
 - (2) Members of the public and representatives of the media will occupy the parts of the Council Chamber or other Meeting Room allotted to their use.
 - (3) Members of the public and representatives of the media shall be admitted to attend Council/Local Area Committee meetings subject to the following arrangements:
 - a. Without prejudice to the right of the public and representatives of the media to attend Council/Local Area Committee meetings, the number of members of the public and representatives of the media to be admitted to such meetings may have to be limited, taking account of available space in the Council Chamber or other Meeting Room in which a meeting is held.
 - (4) Members of the public and representatives of the media shall be seated in the place in the Council Chamber/Meeting Room allotted to them and maintain silence and observe any directions given by An Cathaoirleach/ An Cathaoirleach of the LAC or by any employee in attendance upon the Council/Local Area Committee. Such employees are responsible for the execution of all measures necessary for the maintenance of order and decorum in and about the Council Chamber or other Meeting Room.
 - (5) If a member of the public or a representative of the media interrupts a meeting at any time, or endeavours, without the permission of the Council/Local Area Committee to address a meeting An Cathaoirleach/ An Cathaoirleach of the Local Area Committee shall warn him/her and if the interruption continues shall order that person's removal.
 - (6) In the case of a general disturbance in any part of the Council Chamber or other Meeting Room open to the public, An Cathaoirleach/An Cathaoirleach of the Local Area Committee shall order that part to be cleared.
 - (7) 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/Local Area Committee.
 - (8) The use of mobile phones shall not be permitted at meetings of the Council/Local Area Committees.
 - (9) Smoking shall not be permitted in the Council Chamber or Meeting Rooms .

2. The right of the public and representatives of the media to attend Local Area Committee meetings is restricted to two meetings per annum. At those meetings the provisions of 22 (above) shall apply.

COMMITTEES OF COUNCIL

- 5A STRATEGIC POLICY COMMITTEE**
- 5B CORPORATE POLICY GROUP**
- 5C LOCAL AREA COMMITTEES**
- 5D FINANCE AND ESTIMATES FUNCTIONAL COMMITTEE**
- 5E COMMITTEES GENERAL**

5A Strategic Policy Committees

- (1) There shall, unless the Council by resolution otherwise decides be six Strategic Policy Committees, which shall be:
 - (a) Environment, Water and Amenity
 - (b) Housing
 - (c) Roads and Transportation
 - (d) Community, Culture and placemaking
 - (e) Strategic and Economic development and planning
 - (f) International Relations and Tourism
- (2) Each Strategic Policy Committee shall consist of ten members of Council and five persons to be nominated by sectoral, community and other interest groups throughout the City of Cork, such sectoral, community and other interest groups having being first selected by the Council in accordance with the relevant Ministerial guidelines in accordance with law and having regard to relevant guidelines issued by the Minister of the Housing, Planning and Local Government.
- (3) The Strategic Policy Committees shall be appointed as soon as possible after a local election and the members shall hold office for the period of the life of the Council appointing them. 3 members shall constitute a quorum, 2 of whom shall be Members of the Council.
- (4) The Council shall appoint a Cathaoirleach to each of the Strategic Policy Committees from among the members of the Council to hold office for a minimum period of three years which may be renewed by the Council and subsequent Cathaoirligh shall be appointed by the Council from among the existing Council members of the Strategic Policy Committee.
- (5) The Cathaoirligh and Council members of the Strategic Policy Committees shall reflect the proportionality and the distribution of elected representation on the Council; in default of agreement the Cathaoirligh and Council members of the Strategic Policy Committees shall be appointed by the formation of groups pursuant to Standing Order No. 27 which reflects the requirements of paragraph 18 of Schedule 10 of the Local Government Act 2001.
- (6) Every member of the Council shall be a member of one of the Strategic Policy Committees, but shall not be a member of than more than two. On being appointed or elected as An tArdmhéara, the Strategic Policy Committee position theretofore held by him/her shall be vacated and shall be filled at that time by resolution of Council. Also once An tArdmhéara stands down, he/she will be appointed to such Strategic Policy Committee position as may be resolved by Council. Council will adopt such resolution(s) as close in time as is practicable after the election of An tArdmhéara. Vacancies arising from time to time in Strategic Policy Committees will be filled by resolution of Council.

- (7) An tArdmhéara shall be entitled to attend and address Strategic Policy Committee meetings, but shall not be entitled to vote.
- (8) It shall be the function of a Strategic Policy Committee to consider matters connected with the formulation, development, monitoring and review of policy which relate to the functions of the Strategic Policy Committee and Cork City Council and to advise the City Council on those matters.
- (9) Each Strategic Policy Committee shall meet as often as required and at least four times a year, to deal with the business assigned to it.
- (10) An annual calendar of Strategic Policy Committee meetings shall be agreed at the start of each year.

5B Corporate Policy Group

1. An tArdmhéara and the Cathaoirligh of the Strategic Policy Committees shall form the Corporate Policy Group, which shall meet in Committee as often as they decide under the chairmanship of An tArdmhéara and report to Council.
2. The role of the Corporate Policy Group is to advise and assist the Council, on policy matters affecting the whole Council, with full decision-making authority remaining with the Council.
3. The Corporate Policy Group is supported by the Chief Executive.
4. Minutes of Corporate Policy Group meetings shall be circulated to all members of Council.
5. The agenda and other documents relating to meetings of the Corporate Policy Group shall be made available to all members of Council simultaneously.
6. That all members can attend the Corporate Policy Group but cannot speak if not a member. If a non-member has a motion before the Corporate Policy Group, they can speak on the motion.

5C Local Area Committees

- (1) There shall, unless the Council by resolution otherwise decides be five Local Area Committees, which shall be:
 - (a) North West
 - (b) North East
 - (c) South East
 - (d) South West
 - (e) South Central
- (2) Each Local Area Committee shall consist of those ward members for the Local Electoral Area. The Local Area Committees shall be appointed as soon as possible after a local election and the members shall hold office for the period of the life of the Council appointing them.
- (3) It shall be the function of a Local Area Committee to consider operational matters connected with the powers, functions and duties of the City Council and to report to Council.
- (4) Subject to the resolution of Council altering the regularity of meetings, and subject to determination of the Annual Summer break, each Committee shall meet monthly, at 5.30pm on either the fourth Monday or fourth Tuesday of every month.
- (5) Except where otherwise provided by statute, regulations or guidelines issued by the Minister for the Housing, Planning and Local Government, An tArdmhéara shall be ex-officio a member of every Local Area Committee appointed by the Council.
- (6) Every Local Area Committee shall at its first meeting before proceeding to any business and as its first act, elect a Cathaoirleach for the year. Every Local Area Committee shall also be entitled at any time to elect a Leas-Cathaoirleach. If neither An Cathaoirleach or an Leas-Cathaoirleach (if any) are present at a meeting, the meeting shall before entering upon its business, elect a Cathaoirleach for that meeting.
- (7) Every member of the Council, shall be entitled as of right to attend meetings of any Local Area Committee but if he/she is not a member, he/she shall not, save as provided by paragraph (15) of this Standing Order be entitled to take part in the deliberations of the Local Area Committee or to address the Local Area Committee, except by the invitation of An Cathaoirleach for the time being, or with the consent of the majority of the members of the Local Area Committee present and in no case shall he/she vote on any question submitted to the meeting.

- (8) A Cathaoirleach of a Local Area Committee may call a special meeting of the Local Area Committee at any time. A special meeting shall also be called on the requisition of one-third of the whole number of the Local Area Committee, delivered in writing to the secretary of the Committee, but in no case shall less than one-third of the whole number of the Local Area Committee requisition a special meeting. The Summons to the special meeting shall set out the business to be considered thereat and twenty-four hours clear notice at least shall be given before the time of the meeting to each member resident within the City of Cork and no business other than that set out in the Summons shall be considered at that meeting.
- (9) Except where authorised by Statute or ordered by the Council, business shall not be transacted at a meeting of Local Area Committee unless at least one-quarter of the whole number of the Local Area committee is present, provided however that in no case shall the quorum of a Local Area Committee be less than four members.
- (10) Each member present at a meeting of a Local Area Committee shall have a vote unless prohibited from voting by any enactment. At all meetings of Local Area Committees An tArdmhéara shall be entitled to vote.
- (11) All matters or questions duly coming or arising before a meeting of a Local Area Committee shall be determined by a majority of the votes of the members present and voting by a show of hands, unless a vote by roll-call shall be demanded by not less than one-third of the members of the Local Area Committee present at the meeting. The procedure for taking a vote by roll-call shall be similar to the procedure for roll-call votes in the Council and shall be in accordance with Standing Order No. 3F hereof. However, in the case of equality of votes, the matter or question may be determined by a second or casting vote of the person chairing the meeting, which person shall have and may choose to exercise such a vote.

This paragraph is without prejudice to the provisions of the Local Government Act, 2001 including provisions required to be including in standing orders by virtue of paragraph 16 of Schedule 10 of the Local Government Act, 2001 or of any other enactment, requiring either the presence of a specified number or proportion of the members or that a specified number or proportion of the members or that a specified number or proportion should vote in favour of the doing of any particular act.

- (12) Standing Order No.3D (except those parts which relate to standing and speaking more than once) shall, with any necessary modification, apply to Local Area Committees meetings.
- (13) Paragraph (7) of this Standing Order shall not apply to a member of the Council who has moved a motion which has been referred to any Local Area Committee of which he/she is not a member and he/she shall be entitled to have notice of the meeting of the Local Area Committee at which it is proposed to consider the Motion. Such member shall also have the right to attend the meeting and if he attends the meeting, shall have an opportunity of explaining the motion, but shall not have a right to vote thereat.
- (14) The provisions of Standing Order Nos. 3H, 3E, 3F, 1J and paragraph 16 of the

10th Schedule of the Local Government Act, 2001 insofar as it is relevant shall apply in relation to Committees of the City Council with any necessary modifications.

- (15) Resolutions, Part VIIIs and business that require full Council approval will be discussed and noted at Local Area Committees. These reports that require Council approval will be tabled in the main Agenda for Council in its Order of Business (ref] 1.G). This does not affect any business required by statute to be done under SO 1G or does not affect the validity of a Council meeting or of any act or thing done at the Council meeting.
- (16) The right of the public and representatives of the media to attend Local Area Committee meetings is subject to the provisions of 4A.

5D **FINANCE AND ESTIMATES**

- (1) There shall be a Finance and Estimates Committee.
- (2) The Finance and Estimates Committee shall consist of fifteen members of the Council. The Finance and Estimates Committee shall be appointed as soon as possible after a local election and the members shall hold office for the period of the life of the Council appointing them. An tArdmhéara shall be ex-officio a member of the Finance and Estimates Committee.
- (3) It shall be the function of the Finance and Estimates Committee to consider policy and operational matters connected with the financial powers, functions and duties of the City Council and to report to Council.
- (4) The Finance and Estimates Committee shall meeting a minimum of four times per annum.
- (5) The Committee shall at its first meeting before proceeding to any business and as its first act, elect a Cathaoirleach for the year.
- (6) Except where authorised by Statute or ordered by the Council, business shall not be transacted at a meeting of Finance and Estimates Committee unless at least one-quarter of the whole number of the committee is present.

5E Committees - General

- (1) The Council may 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 and shall also fix the quorum which shall not be less than three. The term of office of the Special Committee shall be for such period as the Council may determine when appointing the Committee.
- (2) 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.
- (3) 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 and the procedures shall be as set out in Paragraph (3) of Standing Order No. 6A Paragraph (3). Notwithstanding anything contained above the provisions of Paragraph 18 of Schedule 10 of the Local Government Act 1991 and the requirements of any other enactment will apply to appointments to committee.
- (4) Whenever a vacancy occurs in the membership of any Committee of the Council, by reason of the death, resignation or disqualification of a Member, such vacancy shall be filled as soon as circumstances permit, by the Council after due notice.
- (5) In a committee, the Standing Orders of the Council and/or the resolutions of Council, so far as they are conveniently applicable, shall govern all proceedings of committees, and the member in the Chair at any meeting of a Committee shall determine questions of order.
- (6) In a committee a motion or amendment may be proposed without a seconder, and a member may speak more than once on any question, but the committee may not amend a motion referred to it but will be restricted to recommending an amendment to Council.
- (7) At all meetings of Committees, An tArdmhéara, or in his/her absence An Leas-Ardmhéara, shall be entitled to vote. In the case of an equality of votes, at a meeting of a Committee or sub-committee, the matter or question shall be determined by a second or casting vote of the person chairing the meeting (which person shall have and may choose to exercise such a vote).

This paragraph is without prejudice to the provisions of the Local Government Act, 2001 (including provisions required to be including in standing orders by virtue of Paragraph 16 of the 10th Schedule of the Local Government Act, 2001) or of any other enactment , requiring either the presence of a specified number or proportion of the members or that a specified number or proportion should vote in favour of the doing of any particular act.

- (8) A copy of every Report of a Committee to be submitted to the Council, shall, before the submission thereof, be transmitted to every member of the Council at least 3 days

before Council Meetings, save in cases of urgency when reading of the Report to Council shall suffice.

- (9) A report of a Committee shall, with respect to any issue before such Committee set out clearly the recommendations of the Committee with respect to any such issue, and, insofar as same is practicable, set forth its recommendations of approval or rejection or its decision with respect to such matter for consideration or the information of Council.
- (10) A member of the Council may through An tArdmhéara, or in his absence An Leas-Ardmhéara, ask the Cathaoirleach of a Committee any question upon an item of the report of a Committee when that item is under consideration.
- (11) A member of the Council may through An tArdmhéara, or in his absence An Leas-Ardmhéara, ask the Chief Executive any question upon a report or any Order made by the Chief Executive when that item is properly under consideration by the Council.
- (12) The Chair of each Committee shall be responsible to the Council for the general management of the business entrusted to such Committee.
- (13) Committees may appoint sub-committees from their number to facilitate the transaction of business, who shall report to the Committee, but such sub-committee shall not have the power to transact any business without express authority from the Committee.
- (14) Notwithstanding the liberty which any member has to comment publicly on or engage in any public discussion on the substance of any matter before any Committee of Council, confidentiality shall attach to the details of the transaction by or discussion within any Committee. Accordingly, all agenda, reports and other documents prepared for or arising out of the transaction of business by Committees and all proceedings within Committees and sub-committees shall be treated as confidential until the termination of Committee business.
- (15) Except where authorised by the Committee which has appointed it, business shall not be transacted at a sub-committee unless at least three members of the whole number of the sub-committee are present.
- (16) At all meetings of Committees, An tArdmhéara, or in his absence An Leas-Ardmhéara, shall be entitled to vote.
- (17) The Council may resolve itself into a Committee of the whole Council for the transaction of business to be specified in the Resolution.
- (18) Once a Motion has been referred from a Committee to the Council with a recommended course of action, the matter shall be considered by the Council in accordance with these Standing Orders and shall not, where practicable, be referred back to the Committee in its original form.
- (19) The decisions of the Committees of the Council shall not become binding, except where otherwise provided in these Standing Orders, until approved by the Council, unless the Council specifically empowers these Committees to deal (without further reference to it) with certain matters, subject to the appropriate legal provisions.

- (20) A member of the Council may for the purposes of his/her duty as such member but not otherwise, on application to the Chief Executive, inspect any document or report or the minutes of any Committee which is being considered by a Committee or by the Council and if copies are available shall, on request, be supplied for the like purposes with a copy of such documents. This Standing Order shall not preclude the Chief Executive or the Law Agent to the Council from declining to allow inspection of any document which is, or in the event of legal proceedings would be, protected by privilege howsoever arising.

APPOINTMENT TO EXTERNAL BOARDS

6A APPOINTMENTS TO EXTERN BOARDS

6A Appointments to External Boards

- (1) On the occasion of the election of any representative to the membership of an Extern Board or any other honorary position or positions, notification of the election shall be made by placing details of the position to be filled on the Council Agenda for consideration at the next ordinary meeting of Council. This order shall not however apply to the election of An tArdmhéara or an Leas-Ardmhéara or to the election of any other office the procedure of election for which is prescribed by statute.
- (2) Where two or more persons are to be appointed to a body to which this paragraph applies, then:
 - (a) any group of members who are present at the meeting at the time when the business of making the appointments is reached and comprising the number of members necessary for the purpose of this Standing Order may nominate a person to be a member of that body, and the person shall be so appointed on that nomination without any vote being taken, and;
 - (b) the members of the body then remaining to be appointed, shall be appointed successively by the members of the City Council who are not members of any group referred to in Clause (a) and who were present at the meeting at the time when the business of making the appointments was reached.
- (3) Voting on appointments to Extern Boards or other honorary positions shall be by roll-call vote as prescribed by these Standing Orders. If there are more than two candidates and there is equality between at least two of the candidates with greatest number of votes than the candidate with the least number of votes shall be eliminated and a fresh vote taken and this method continued until an absolute majority is obtained. In the case of two candidates only having equality of votes the election shall be decided on An tArdmhéara's casting vote.
- (4)
 - (a) Subject to Clause (b) the numbers of members necessary to form a group for the purposes of this Standing Order shall be obtained by dividing the total numbers of members present at the meeting of the City Council at the time when the business of making the relevant appointments is reached by the number of the appointments to be so made, or, where the number so obtained is not a whole number, the whole number next above the number so obtained.
 - (b) No member of the City Council shall be a member of more than one group for the purposes of this Standing Order.
- (5) This Standing Order applies to the following bodies:
 - (a) a committee of a local authority;
 - (b) a joint committee or joint body of one or more local authorities;
 - (c) an Education and Training Board within the meaning of the Education and Training Board Acts, 2013.

- (d) a Harbour Authority within the meaning of the Harbour's Act 1946;
 - (e) a regional authority established by Order under Section 43 of the Local Government Act, 1991;
 - (f) a regional tourism organisation;
 - (g) the General Council of County Councils;
 - (h) the Association of Municipal Authorities of Ireland;
 - (i) an Area Partnership Board;
 - (j) such other body or bodies as may be specified by order of the Minister, either generally or in respect of one or more specified local authorities, including bodies nominated by Council.
- (6) (a) This Standing Order applies to the appointment of:-
- (i) members of a local authority, and
 - (ii) other persons who are not members (where such appointment is authorised by or under any enactment),
 - (iii) body referred to in sub-paragraph (3), whether by way of nomination or election.
- (b) Clause (a) does not apply as regards the appointment of persons who are not members of a local authority to membership of a Strategic Policy Committee, a Local Consultative Committee, a Vocational Education Committee or a School Attendance Committee.
- (7) This Standing Order shall not be read so as to make unnecessary for appointment to any office, post or position, the possession of any special knowledge, experience or other qualification the possession of which is required by law for appointment to the office, post or position.
- (8) This Standing Order shall not be read so as to affect the entry to or tenure of membership of any body, or any other office, held by virtue of being an office holder.
- (9) Section 5 of, and the relevant provisions of the Second Schedule to the Health Act, 1970, shall have effect in relation to appointments by a local authority to the Health Service Executive.

STANDING ORDERS

7A AMENDMENT AND REVOCATION OF STANDING ORDERS

7B SUSPENSION OF STANDING ORDERS

7A Amendment and Revocation of Standing Orders

Any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Council at which the Council may, by resolution for which at least one half of the total number of members of the City Council vote in favour, amend or revoke Standing Orders and make new Standing Orders.

7B Suspension of Standing Orders

Subject to the provisions and requirements of the Local Government Act, 2001, or of any other enactment, any Standing Order, except Nos. 3A paragraph 9 (p) 3B and 3F may at any time be suspended where a Motion to suspend any Standing Order except Nos. 3A paragraph 9 (p) and 3F are to be moved, the proposer of the Motion, should where possible consult with An tArdmhéara before moving the Motion and should not be moved without notice unless there shall be present at least one-half of the whole number of members of the Council. The motion shall fail unless carried by two-thirds majority of those present and voting.

CASUAL VACANCY

8A CASUAL VACANCY

8A Casual Vacancy

A casual vacancy in the membership of Cork City Council shall be filled in accordance with Section 19 of the Local Government Act 2001 vis:

- (1) a casual vacancy shall be filled by the co-option by the City Council of a person to fill the vacancy and except where paragraph (c) or (d) or (e) of Section 19 (1) of the Local Government Act, 2001 applies, subject to such person being nominated by the same registered political party who nominated for election or co-option the member who caused the casual vacancy;
- (2) in the case where the person causing the casual vacancy was a non- party candidate at his or her election to Cork City Council, the vacancy shall be filled by the co- option by the City Council of a person nominated by the candidate, by the first meeting of the new council after the local election. The candidate must provide a list of three replacements (in order of priority) to the Returning Officer between the date of election and the first meeting of the new council from which a casual vacancy can be filled.

Save where the vacancy occurs pursuant to Section 18 (4) of the Local Government Act 2001 and where the outgoing member wishes to be considered for co-option. In such circumstances the Council may consider both the outgoing member and the nominate replacement for co-option to the casual vacancy.

- (3) A co-option shall be made, after due notice from the Meetings Administrator at the next meeting of the City Council after the expiration of 14 days from the occurrence of the vacancy or as soon after the expiration of the 14 days as circumstances permit. In this paragraph “due notice” means not less than 3 clear days’ notice given in writing to every member of the City Council.
- (4) the person co-opted to fill a casual vacancy shall be a member of the City Council until the next ordinary day of retirement of members of the City Council unless he or she sooner ceases to be a member.

PLAQUES & COMMEMORATION

9A PROPOSALS FOR PLAQUES AND OTHER FORMS OF COMMEMORATION

9A Proposals for Plaques and other forms of Commemoration

- (1) Any Member wishing to bring forward a proposal to honour any individual, organisation, event, occasion, etc. by way of erecting a plaque, naming of a road, place, building, etc, shall do so by putting forward a motion to that effect.
- (2) Any motion to honour an individual, organisation, event, occasion, etc, shall first be referred to the Party Whips for consideration and shall not be included on an Agenda without first being considered by the Party Whips.
- (3) Without prejudice to any other commemorative proposal, a motion to honour any deceased person, shall not be considered unless a minimum period of 5 years has elapsed since the passing of the individual.