

# **THE CHARTER TRUSTEES FOR HARROGATE STANDING ORDERS**

## **1. INTRODUCTION**

- (a) These Standing Orders are to be read in conjunction with the relevant sections of the Local Government Act 1972, with particular reference to the remit of Charter Trustees. These functions are limited to:
- Appointing a Charter Mayor and Deputy; and
  - Acquiring, holding, administering, maintaining and improving historic property of a ceremonial nature.
- All events undertaken by the Charter Mayor's office should have as a guiding principle the enhancement of the Mayoralty.
- (b) Charter Trustees are reminded that their membership of the Charter Trustee body is based upon their being members of North Yorkshire Council, representing the relevant wards as defined in Schedule 2 of the North Yorkshire (Structural Changes) Order 2022. The North Yorkshire Council Members' Code of Conduct therefore applies to Charter Trustee business and conduct of the Charter Trustees.
- (c) These Standing Orders are minimal, and it is assumed throughout that Charter Trustees will be guided by their knowledge of the conduct of public affairs.

## **2. MEETINGS OF THE CHARTER TRUSTEES**

- (a) The Annual General Meeting of the Charter Trustees shall be held within 21 days of the annual meeting of North Yorkshire Council. The meeting shall be held at such a time and place as the Charter Trustees may determine.
- (b) Including the Annual General Meeting, no less than two meetings shall be held each year to conduct the general business of the Charter Trustees. The dates of such ordinary meetings to be approved at the Annual General Meeting.
- (c) The Mayor may call extra meetings if they consider this necessary. Except in an emergency, five clear days' notice will be given.

## **3. ELECTION OF CHARTER MAYOR AND DEPUTY CHARTER MAYOR**

- (a) At the Annual General Meeting, the Charter Trustees shall elect a Charter Mayor and Deputy Charter Mayor from within the Charter Trustee body.

- (b) Should any office referred to in (a) above become vacant for example by death or resignation, under the terms of the Local Government Act of 1972, an election must be held not later than the next ordinary meeting of the Charter Trustees. The procedure to be followed is that laid down for an ordinary election at an Annual General Meeting.

#### **4. APPOINTMENT OF OFFICERS**

- (a) Officers shall be appointed by North Yorkshire Council to cover the secretarial and financial requirements of the Charter Trustees including the role of Clerk to the Charter Trustees. Such officers to hold qualifications suitable to the role.
- (b) The proportionate cost of the officers in paragraph (a) above shall be recharged to the Charter Trustees and included within the annual budget.

#### **5. CHAIRPERSON**

- (a) Meetings shall be chaired by the Charter Mayor, or in their absence, the Deputy Charter Mayor.
- (b) If both the Charter Mayor and the Deputy Charter Mayor are absent, the Charter Trustees shall elect one of their number as chairperson (subject to there being a quorum present.)
- (c) If an elected chairperson is chairing the meeting, and either the Charter Mayor or the Deputy Charter Mayor arrives, the Charter Mayor or Deputy Charter Mayor shall take the chair AFTER the completion of the item under discussion. A similar procedure will occur if the Charter Mayor arrives when the Deputy Charter Mayor is in the chair.

#### **6. QUORUM**

- (a) The quorum shall be at least one-third of the whole number of Charter Trustees.
- (b) If, after a meeting has commenced, Charter Trustees leave and the total number of members drops below the quorum, the meeting shall be adjourned as inquorate.
- (c) The remaining business will be considered at a time and date fixed by the Charter Mayor. If s/he does not fix a date, the remaining business will be considered at the next ordinary meeting.

#### **7. ORDER OF BUSINESS AT ANNUAL GENERAL MEETING**

- (a) Appointment of Clerk
- (b) Election of Charter Mayor;
- (c) Election of Deputy Charter Mayor;
- (d) Approval of the Calendar of Meetings;
- (e) Approval of the budget;
- (f) Appointment of one representative and a substitute to the Association of Charter Trustees;
- (g) Any other business deemed necessary by the Clerk to the Charter Trustees.

## **8. ORDER OF BUSINESS AT OTHER MEETINGS**

- (a) To appoint a Chairperson if the Mayor and Deputy Mayor are absent;
- (b) Declarations of Interest to be completed, where appropriate;
- (c) To approve, accept and sign as a true record the Minutes from the previous meeting;
- (d) To deal with any matters arising from the Minutes;
- (e) Questions and statements by the public;
- (f) To deal with any matters outstanding from a previous meeting deemed inquorate;
- (g) To receive the Charter Mayor's Report;
- (h) To receive and consider other reports;
- (i) To consider any other business as previously advised to the Clerk to the Charter Trustees including any motions.

## **9. EXTRAORDINARY MEETINGS**

The business to be conducted at an Extraordinary Meeting shall be limited to the item or items in respect of which the meeting has been called.

## **10. QUESTIONS AND STATEMENTS BY THE PUBLIC**

- (a) Members of the public may ask questions or make statements at ordinary meetings of the Charter Trustees.
- (b) Questions will be asked (or statements made) in the order notice of them was received, except that the Chair may group together similar questions or statements. The Chair has discretion when grouping together similar questions to limit the time for asking such questions.
- (c) A question may only be asked (or statement made) if notice including the full text of the question or statement has been given by delivering it in writing or by electronic mail to the Clerk to the Charter Trustees no later than midday three working days before the day of the meeting. Each question must give the name of the questioner. Each statement must give the name of the person by whom it is to be made.
- (d) Copies of all public questions received for a meeting will be circulated to all the Charter Trustees and will be made available to the public attending the meeting.
- (e) At any one meeting no person may submit more than one question or statement and no more than one such question may be asked or statement made on behalf of one organisation.
- (f) The Clerk to the Charter Trustees may reject a question or statement if it:
  - is not about a matter for which the Charter Trustees have responsibility;
  - is defamatory, frivolous or offensive;
  - is substantially the same as a question which has been put at a meeting of the Charter Trustees in the past six months; or
  - requires the disclosure of confidential or exempt information.

Rejected questions or statements will include reasons for rejection.

- (g) If a questioner who has submitted a written question is unable to be present, they may ask the Chair to put the question on their behalf. The Chair may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

- (h) The Chair will invite the person to make their statement. If they are unable to be present they may ask the Chair to make the statement on their behalf. The Chair has discretion whether or not to do so.
- (i) No person asking a question or making a statement may speak for more than three minutes, and the total time allowed at any meeting for questions and statements by the public shall be half an hour.
- (j) A questioner who has put a question in person may also put one supplementary question without notice to the Charter Trustee who has replied to their original question. A supplementary question must arise directly out of the original question or the reply and is permitted solely for the purpose of clarifying the information provided in response to the original question. In these circumstances the speaking time for the questioner asking a supplemental question will be limited to thirty seconds or such longer time as the Chair might agree. The Charter Trustee responding to the supplemental question has unlimited time to respond. The Chair may reject a supplementary question on any of the grounds identified above.
- (k) Any question which cannot be dealt with during public question time, either because of lack of time or because notice required by this Standing Order was not given, will be dealt with by a written answer within two weeks.
- (l) Unless the Chair decides otherwise, no discussion will take place on any question or statement, but any Charter Trustee may move that a matter raised by a question or statement be deferred to the next meeting. Once seconded, such a motion will be voted on without discussion. No other decision may be taken in relation to any question or statement.

## **11. CONDUCT OF A MEETING**

- (a) The Clerk to the Charter Trustees shall set out in the summons (agenda) for every Meeting, notice of all motions received by letter or email delivered at least nine days before the meeting of the Charter Trustees. Every motion shall be relevant to some matter in relation to which the Charter Trustees have powers or which affects the town.
- (b) Minutes will only be discussed as to accuracy. Any question raised pertaining to their accuracy shall be raised by motion. If no such question is raised, or if it is raised, then as soon as it has been disposed of, the Charter Mayor shall sign the Minutes.
- (c) Charter Trustees shall not speak for a second time on the same subject except:

- i. to make a point of order or give a personal explanation
  - ii. to move to the next business
  - iii. to move that a vote be taken.
- (d) A Charter Trustee may raise a point of order at any time. The Charter Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Standing Orders or the law concerning the constitution or conduct of the meeting. The Charter Trustee must indicate the Standing Order or law and the way in which he/she considers it has been broken. The ruling of the Charter Mayor on the matter will be final.
- (e) A Charter Trustee may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by another Charter Trustee which may appear to have been misunderstood in the present debate. The ruling of the Charter Mayor on the admissibility of a personal explanation will be final.
- (f) A Charter Trustee when speaking shall address the Charter Mayor (or Chairperson). If two or more Charter Trustees indicate, the Charter Mayor (or Chairperson) shall call on one to speak; the other or others shall be invited to speak later. While a Charter Trustee is speaking, the other Charter Trustees shall remain silent, unless indicating to a point of order or in personal explanation. All requests to speak shall be through the Chair.
- (g) Whenever the Charter Mayor (or Chairperson) calls for order during a debate, a Charter Trustee then speaking shall cease speaking and the Charter Trustees will be silent.
- (h) The Charter Mayor (or Chairperson) may call upon any Officer of the Charter Trustees to explain or advise upon any point under discussion or such Officer may speak with the permission of the Mayor to answer any such query.
- (i) On any motion being moved, the Charter Mayor (or Chairperson) will ask for a seconder.
- (j) A motion may be moved when the Charter Mayor (or Chairperson) announces the item to be discussed. If no motion is moved, the meeting moves to discussion. The Mayor (or Chairperson) may, at any time, ask an officer to explain or advise on the matter under discussion.
- (k) Voting will be by a show of hands with the Charter Mayor/Chairperson having a casting vote. On the requisition of any Charter Trustee the voting on any question shall be recorded so as to show whether each Charter Trustee present and voting gave their vote for, against or abstained.

## **12. DISORDERLY CONDUCT AND DISTURBANCE**

- (a) If a Charter Trustee persistently disregards the ruling of the Charter Mayor by behaving improperly or offensively or deliberately obstructs business, the Charter Mayor may move that the Charter Trustee be not heard further. If seconded, the motion will be voted on without discussion.
- (b) If the Charter Trustee continues to behave improperly after such a motion is carried, the Charter Mayor may move that either the Charter Trustee leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.
- (c) If there is a general disturbance making orderly business impossible, the Charter Mayor may adjourn the meeting for as long as he/she thinks necessary.

## **13. AUTHENTICATION OF DOCUMENTS**

Where any document will be a necessary step in legal proceedings or legal transactions on behalf of the Charter Trustees, it shall, unless any enactment otherwise requires or authorises, or the Charter Trustees give the necessary authority to some other person for the purpose of such proceedings, be signed by the Clerk to the Charter Trustees.

## **14. AMENDMENTS TO 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 Charter Trustees.

## **15. SUSPENSION OF STANDING ORDERS**

Any of the preceding Standing Orders may be suspended so far as regards any business of the meeting where its suspension is moved. The Standing Order or Orders to be suspended shall be specified.

## **16. INTERPRETATION OF STANDING ORDERS**

The ruling of the Chairperson as to the constructions or application of any of these Standing Orders, or as to any proceedings of the Charter Trustees shall not be challenged at any Meeting of the Charter Trustees. Provided always that nothing herein shall prejudice the provisions of Section 246 of the Local Government Act 1972, the provisions of the Charter Trustees Order 1974 or the Charter Trustees Regulations 1996.