



Kildare County Council

Standing Orders for the
Regulation of Business and Proceedings
at Meetings of the Council

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Definitions

In these orders,

The “**Act**” means the Local Government Act 2001 (as amended).

The “**Cathaoirleach**” means the person elected as cathaoirleach of the county of Kildare at the annual meeting of the Council or the agreed chair of a meeting in the absence of the Cathaoirleach.

The “**Chief Executive**” means the Kildare County Council Chief Executive or her/his duly appointed deputy.

The “**Council**” means the elected policy-making forum for the administrative county of Kildare.

An “**excluded day**” means a Saturday or a Sunday or a public holiday within the meaning given in the Organisation of Working Time Act 1997 or any other day on which the principal offices of the council are closed.

The “**Leas Cathaoirleach**” means the person elected as Leas Cathaoirleach of the county of Kildare at the annual meeting of the Council.

A "**Meeting**" means a meeting pursuant to the Act of the plenary Council save where the context indicates otherwise.

The "**Meetings Administrator**" means the person assigned the duties of Meetings Administrator pursuant to the Act.

A "**Member**" means a person elected or co-opted as a councillor in accordance with law to membership of the Council.

A "**motion**" is a formal proposal for action to be put before a committee for approval.

A "**Point of Order**" is an appeal to the Cathaoirleach for a ruling on a matter of procedure.

The "**remote**" attendance of a Meeting of the Council provides for participation, from a different location, using an agreed telecommunications link.

A "**Quorum**" shall be one-fourth of the total number of Members of the Council plus one or, where one-fourth of such total number is not a whole number, the Quorum shall be the next highest whole number plus one. The Quorum for a Meeting of Kildare County Council thereby is eleven, except where otherwise required by legislation. Members attending or remotely attending a Meeting will count for the constitution of a Quorum.

1 Meetings of the Council

Unless upon any occasion when it is otherwise fixed by statute or by resolution of the Council, ordinary Meetings of the Council shall be held on the last Monday of each month, which is not an excluded day. A schedule of ordinary meetings of the Council for the ensuing year shall be approved at the November Council Meeting each year.

2 Annual Meeting

In every year in which a local election is held the annual Meeting shall be held on the fourteenth 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. Where the fourteenth day is an excluded day, the Meeting shall be held on the next following day, which is not an excluded day.

In every year which is not an election year, the annual Meeting shall be held on the last Friday in June.

Whenever an annual Meeting is for any reason not held on the appointed day, the Meetings Administrator shall, following consultation with the Cathaoirleach, or if the office of Cathaoirleach is vacant or he/she is unable to act, with the Leas Cathaoirleach, convene a Meeting for a convenient hour on the day which the Meetings Administrator considers to be the earliest convenient date for that purpose.

In an election year, the Council shall publish a notice of its annual Meeting in at least one newspaper circulating in its administrative area. 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 the Cathaoirleach and Leas Cathaoirleach, and specify the joint bodies and other bodies to which the Council is entitled to make appointments at that or a subsequent Meeting.

At an annual Meeting in an election year, the Meetings Administrator shall chair the Meeting until a new Cathaoirleach is elected and shall read out the names of persons duly elected as Members of the Council. Subject to this, the election of a Cathaoirleach is to be the first business of an annual Meeting.

In the case of the annual Meeting in an election year, the business to be transacted after the election of the Cathaoirleach and Leas Cathaoirleach shall include the consideration of the election, appointment or nomination of Members of joint bodies or other bodies elected, appointed or nominated by the Council.

3 Council Budget Meeting

A Council budget Meeting shall be held during the period prescribed by regulations for that purpose.

4 Special Meetings

A special Meeting of the Council may be convened at any time by the Cathaoirleach or if the office of Cathaoirleach is vacant or the Cathaoirleach is unable to act, by the Leas Cathaoirleach, or by the Cathaoirleach on foot of a request in writing presented to her/him by any five members.

Where the Cathaoirleach refuses or neglects to act on foot of a request within seven days of it being presented to her/him, the Members making the request may convene a Meeting. The provisions of paragraph 6 of Schedule 10 of the Act shall apply in relation to the calling of such a Meeting.

5 Hour of Meeting

The hour of Meeting of the Council shall be 3.00 p.m. or at such other hour as may from time to time be fixed by resolution of the Council. The Council shall rise not later than 6.00 p.m.

6 Place of Meeting

In so far as practicable, the place for holding Meetings of the Council shall be the principal offices of the Council at Áras Chill Dara, Devoy Park, Naas, and Meetings shall normally be held there.

In accordance with Section 29 of the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 the Meetings of the Council may be held at:

- the Council chamber,
- one or more Council buildings or rooms linked using telecommunications,
- an electronic, digital, or virtual location, web address or a conference call telephone number,
- a combination of the above to provide for attendance and remote attendance by Members.

7 Summoning of Meeting

A notification to attend a Meeting, other than a Council budget Meeting shall:

- a. be sent or delivered to each Member of the Council,
- b. specify the place, date, and time of the Meeting,
- c. give not less than three clear days of notice.

The three clear days shall only exclude:

- i. the normal day for receipt of the notice,
- ii. the day of the Meeting

The notification shall include or be accompanied by an agenda listing the business to be transacted at the Meeting. Subject to Standing Order 15, 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 Act, or otherwise by law, to be transacted at the Meeting.

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 three clear days before the day on which the Meeting is to be held.

In the case of a special Meeting convened by requisition under Standing Order 4, a copy of the requisition shall be sent with the notification.

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 the Council.

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.

For the purposes of this Standing Order "signature" includes an electronic signature by whatever process reproduced or a printed version of the name of the Meetings Administrator.

8 Public Notice of Meeting

Public notice of the place, date and time of a Meeting other than a Council budget Meeting shall be displayed not less than three clear days before the day of the Meeting in or at the principal office of the Council in a position convenient for public inspection during normal office hours.

The notice shall include the agenda for the Meeting, 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 and the foregoing documents shall be published on the council's website on their date of issue.

Subject to any arrangements as it may make, the Council shall supply a copy of a public notice and an agenda to the media.

9 Constitution of Meetings

Where Members are attending remotely, all participants should:

- engage in the meeting through MS Teams, using headsets and a webcam where practicable
- establish a connection ten minutes prior to the commencement of the Meeting to allow themselves and the Meeting Administrator the opportunity to test the connection
- mute their microphones

Each Member remotely attending a Meeting has personal responsibility to ensure and confirm to the Meetings Administrator that there is no other person present, or with access to the Member's equipment or telecommunications link, who is not entitled to hear, see or participate in the consideration of items at the Meeting.

The chair shall be taken by the Cathaoirleach at a Meeting of the Council within fifteen minutes after the time appointed for such Meeting, or in her/his absence by the Leas Cathaoirleach, or otherwise by a Member called thereto by general agreement or chosen by a vote of the Members present to chair the Meeting, and such Member shall leave the chair on the arrival at the Meeting of the Cathaoirleach or the Leas Cathaoirleach; similarly, the Leas Cathaoirleach will yield the chair to the Cathaoirleach.

The names of the Members attending Meetings in Áras Chill Dara shall be recorded by each Member using the electronic system provided either via the biometric or the access card reader or the attendance register. Meetings held outside of Áras Chill Dara or Meetings with remotely attending participants will be recorded by

the Meetings Administrator in an attendance register provided for that purpose.

Any Member or official attending a Meeting remotely must, when speaking, be able to be heard (and seen, where practicable) by all other participants, and in turn, a remote participant must be able to hear (and see, where practicable) the other participants.

The Cathaoirleach will at the outset, and at any reconvening of a Meeting with remotely attending Members, request a roll call of Members and ensure that they can hear and, where practicable, see those in attendance. Any Member attending remotely should also confirm at the outset and at any reconvening of the meeting that they can hear and, where practicable, see the proceedings.

As soon as practicable, the Cathaoirleach and the Meetings Administrator should be informed by a remotely attending Member if he/she becomes disconnected from a telecommunications link during a Meeting by phoning or texting the Leas-Cathaoirleach, or another practical means.

Members leaving the meeting should make every effort to inform the Cathaoirleach through the chat function 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.

Whenever a Meeting of the Council 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.

If a Quorum is not present within thirty minutes after the time fixed for the Meeting or at any time during the Meeting, the

Meeting shall stand adjourned to a day to be named by the Cathaoirleach.

10 **Order of Business**

The order of business at all Meetings other than annual Meetings, Council budget Meetings and special Meetings shall, subject to the provisions of any enactments, be as follows:

- I. Declarations of pecuniary or beneficial interests under section 177 of the Act
- II. Confirmation of the minutes of Council Meetings and noting of reports of progress in matters raised at previous Meetings
- III. Business prescribed by statute, Standing Orders, or resolutions of the Council for transaction at such meeting, and reports or recommendations presented by or on behalf of the Chief Executive
- IV. Cathaoirleach's business
- V. Chief Executive's business
- VI. Correspondence
- VII. Reports and recommendations from municipal districts and/or committees
- VIII. Notices of motion on Council functions

In the case of a Meeting convened for a special purpose, the business specified in the notification for such Meeting and no other business shall be transacted.

At any ordinary Meeting of the Council it shall be proper, if a majority of the Members present and voting so decide, to take an item for consideration out of the sequence of listing on the agenda, provided always that such decision shall not affect any

business required by statute to be done before any other business at the Meeting.

11 **Minutes**

Minutes of the proceedings of a Meeting of the Council shall be drawn up by the Meetings Administrator.

The minutes shall include:

- the date, place, and time of the Meeting
- the names of the Members present at the Meeting
- the names of the senior employees of the Council present at the Meeting
- reference to any report submitted to the Members at the Meeting
- where there is a roll call vote, the number and names of Members voting for and against the motion and of those abstaining
- particulars of all resolutions passed at the Meeting
- such other matters considered appropriate.

A copy of the minutes of a Meeting shall be sent or given by the Meetings Administrator to each Member of the Council.

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.

A Member may object, when the question that they be confirmed is put from the chair, provided the Member had given notice in writing to the Meetings Administrator by noon on the Tuesday prior to the Meeting, to any part thereof as not being an accurate

record. Members shall be notified in advance of a Meeting of such objections.

Upon a motion any question of altering the record shall be determined by the Council by majority vote of those Members who were present at the appropriate Meeting. When confirmed with or without amendment, the minutes of a Meeting shall be signed by the person chairing the Meeting at which they were submitted for confirmation, and any minutes claiming to be so signed shall be received in evidence without proof.

A copy of the minutes when confirmed in accordance with this Standing Order shall be open to inspection at the principal offices of the Council and any person may inspect and make a copy of, or abstract from, the minutes during the usual office hours of the authority.

12 Notices of Motion

Every notice of motion dated and signed by the Member or Members giving it shall be delivered to the Meetings Administrator and shall be recorded in the order of its receipt and shall appear on the agenda in the following order

- Adjourned motions
- Joint motions
- Single proposer motions

Where there are two or more motions relating to the same topic which are substantially the same, they shall be listed together.

A notice of motion delivered by electronic means shall, if it has the name of a Member appended thereto and if it appears to have been sent by her/him, be deemed for the purposes of this order to have been delivered by that Member.

No notice of motion shall be set down on the agenda for any Meeting unless such notice of motion shall have been delivered to the Meetings Administrator at least twelve clear days before the date of such Meeting.

If any notice of motion of which notice has been duly given relates to a matter normally dealt with by a municipal district of the Council, or comes within the terms of reference of any municipal district or municipal districts or any other committee, it shall be referred to such municipal district or municipal districts as the Meetings Administrator determines, if necessary after consultation with the Cathaoirleach and the Member who put forward the motion.

No Member shall be permitted to have more than one motion (excluding adjourned motions) on the agenda for any Meeting of the Council.

A notice of motion recommending or involving expenditure shall not be considered by the Council unless the Council has before it at the same time a certificate from the appropriate officer setting out the estimated expenditure which would be involved by the adoption of the motion.

Any notice of motion submitted jointly in the names of two or more Members shall be considered as a notice of motion submitted separately by each Member subscribing to the notice. Each section of a multiple motion shall be considered as constituting a separate motion.

The Meetings Administrator shall decide on the listing of motions on the agenda in accordance with Standing Orders and the Code of Conduct for Councillors. If the Meetings Administrator and the Member submitting the motion cannot agree on the listing of a

motion, the Member shall receive notification of the Meeting Administrator's decision. The Member may then appeal the decision to a panel, that comprises of the Cathaoirleach, the Chair of the Protocol and Procedures Committee and the Chief Executive, who will collectively consider the appeal on the listing of the motion and their decision on the matter shall be final.

13 Motions to Amend or Revoke Resolutions

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 the Council within six months of the date of the adoption of such resolution except with the written assent of not less than five 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 the Council that at least a majority of the Members of the Council vote in favour of the motion. This is subject to any statutory requirement.

Subject to the above, any matter decided by the Council by motion on notice or on the report of a committee, shall not be re-opened within six months of the date of such decision.

14 Reports for Meetings

Reports for Meetings are to be issued to Members three clear days in advance of a Meeting. Reports can be issued electronically but must carry the name of the person issuing the report. Where no written report is issued within the timeframe outlined above, the Director of Services for the relevant service area must attend the Meeting.

15 Motion for the Purpose of Dealing with Urgent Business

Notwithstanding any other provisions of these Standing Orders a motion regarding urgent business, related to a function of the Council, must be submitted to the Cathaoirleach, Chief Executive and Meetings Administrator at least three clear working days in advance of the Meeting at which the issue is to be considered, subject to the requirement that at least a majority of the Members vote in favour and subject to no such motion being deemed to be carried until two thirds of the Members present vote in its favour.

16 Adjournment of Council

A Meeting of the Council may be adjourned by consent of the Members present or by a decision of the Cathaoirleach under Standing Orders dealing with disorder, and the business should stand adjourned until the next Meeting.

A special Meeting may be adjourned from time to time until its business is concluded.

17 **Motions and Amendments**

The proposer of an amendment to a motion shall upon moving same, deliver a copy in writing or by a telecommunications link to the Cathaoirleach and Meetings Administrator.

A motion, notice of which stands in the agenda and which has been proposed and seconded, may be withdrawn only on leave obtained from a majority of the Members present at the Meeting and at the request of the Member concerned. A motion may either be proposed by the Member in whose name it stands or if he/she be absent, by any Member authorised by her/him in writing to the Meetings Administrator to propose it on her/his behalf, but unless so proposed, the motion shall be removed from the agenda and shall not re-appear except on fresh notice.

A motion or an amendment when not seconded is lost.

An amendment which has been proposed and seconded may be withdrawn only on leave obtained from a majority of the Members present at the Meeting and at the request of its proposer and seconder.

Every amendment shall be relevant to the motion on which it is moved and shall be either

- to leave out words,
- to leave out words and insert or add others,
- to insert or add words.

An amendment shall not be in order if it is equivalent to a direct negative or if it is not, in fact, an amendment of the motion it purports to amend.

Whenever an amendment on 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. Notice of all amendments shall be given in writing to the Cathaoirleach and Meetings Administrator and communicated to the Meeting by the Meetings Administrator before the first amendment is taken.

When an amendment is affirmed the original motion as amended becomes the substantive motion upon which any further amendment, of which notice has been given, may be moved. When an amendment is lost any further amendment of which notice has been given may be proposed, but only one amendment shall be at any time before the Meeting and an amendment shall not be in order if the Cathaoirleach rules it to be substantially the same as an amendment already lost.

18 Order of Debate

When a Meeting has Members attending remotely:

- Members will request to address the Meeting through the chair by maintaining a display of the electronic hand symbol
- The Cathaoirleach's decision in determining the order of speakers shall be final

Except with the permission of the Cathaoirleach the proposer of a motion may speak for four minutes, other Members may speak on the motion for one minute, with the proposer having a right of reply for one minute while the motion remains before the Cathaoirleach and when the proposer replies the debate on the motion is closed. A Member may speak once upon any item on

the agenda or on any motion except a motion which is to be put without debate.

A Member may speak more than once on the same motion or amendment for the purpose only of submitting a Point of Order or making a personal explanation. The Cathaoirleach's decision in determining a Point of Order or personal explanation shall be final.

The Cathaoirleach shall ascertain that a motion is seconded, and the Meeting shall hear any report on it before the proposer is permitted to speak to it.

A motion "that the Council proceed to the next business" may be made after any motion has been proposed and seconded. When made it shall be determined without amendment or debate and if it be affirmed the business interrupted by such motion shall not be proceeded with further at that Meeting and unless the Council otherwise determine shall be adjourned to the next ordinary Meeting. The motion to proceed to next business shall not be made more than once during the debate on any question.

At any time during a discussion on a motion a Member may move "that the question be now put" and if such leave be given by the assent of the majority of Members present and voting, the motion shall be put, subject to the right of reply by the proposer of the original or substantive motion.

When two or more Members at the same time offer to speak, the Member called upon by the Cathaoirleach shall have precedence.

A Member while speaking shall address only the Cathaoirleach. No Member shall address the Cathaoirleach, unless from the seat or a telecommunications link reserved for the Member.

A Member speaking shall not be interrupted, except upon a question of order, but may give way to a Member desiring to make a personal explanation.

When a Member seeks to make a Point of Order, the Member then addressing the Cathaoirleach shall give way until the question of order has been determined by the Cathaoirleach.

The Cathaoirleach is the sole judge of order at Meetings and has the authority to maintain order and enforce prompt obedience to her/his ruling. When during a debate the Cathaoirleach rises, any Member then speaking shall give way to the Cathaoirleach.

Members shall comply with the Code of Conduct for Councillors, act with civility, show courtesy to each other and to the employees and no Member shall use offensive or unbecoming language; and employees shall show similar courtesy to Members.

Members must bear in mind that discussions at Meetings are not privileged.

The Cathaoirleach shall call a Member to order for irrelevance, repetition, false statements, offensive or unbecoming language, imputations of improper motives, reflections of a personal character upon another Member or an employee or a third party, or a disorder, and may direct such Member, if speaking, to discontinue their speech. Any Member having made such statements or used such objectionable words, and not explaining or retracting the same, or offering apologies for the use thereof when requested by the Cathaoirleach to do so, shall be subject to a ruling on disorder, including consideration on irregularity, impropriety, offensiveness or persistently disregarding the ruling of the chair.

19 Disorderly Behaviour/Conduct

If, in the opinion of the Cathaoirleach, a Member's conduct is considered to be disorderly then the Cathaoirleach may move that the named Member concerned leave the Meeting and the motion, if seconded, shall be put and determined without discussion.

Where the Council decides that a named Member leave a Meeting, that named 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.

Where, in the opinion of the Cathaoirleach, there is general disorder which impedes the orderly transaction of business or where a named Member against whom it was resolved that he/she leave the Meeting refuses to do so, the Cathaoirleach may adjourn or suspend the Meeting for such period as he/she considers necessary in the interests of order.

Schedule 10 of the Act provides that sanctions can be applied against a Councillor who refuses to leave a Meeting after the passing of such motion and whose refusal then causes that Meeting to be adjourned.

20 Ethics

Members shall at all times comply with the provisions of law relating to their conduct in public office and especially with all of Part 5 of the Act and with any guidelines on ethics, the Code of Conduct for Councillors 2019 and any codes of conduct issued by or on behalf of the government.

Members shall comply in all respects with Section 177 of the Act; and any Member having a pecuniary or beneficial interest in a matter before a Meeting of the Council or any of its committees, or having knowledge that a connected person, as defined in the Act, has any such interest, shall declare the interest and withdraw from the Meeting for so long as the matter is being discussed or considered and shall have no part in the proceedings relating thereto and shall refrain from voting in relating to it. **The onus is on the Member to declare the interest to the Cathaoirleach and the members and to leave the chamber. Where the member is attending remotely, they must terminate any telecommunications link with the Meeting. The declaration will be recorded in the minutes at the time of departure.**

Their departure will be confirmed by the Meetings Administrator, who will invite the relevant Member, by a practicable and pre-agreed method of communications, to re-join the meeting at the appropriate time.

21 Questions, Votes and Divisions

Every question shall be determined by a show of hands or an electronic show of hands or an electronic vote, unless a Quorum of Members request a roll call vote, in which case the names for and against the motion or amendment shall be taken down in writing and recorded in the minutes.

When voting is determined using electronic equipment, a Member shall only record a vote using the equipment at the seat or the telecommunications link assigned to the Member. Failures in the accurate use of electronic voting equipment shall be notified to the Cathaoirleach for the record as soon as they are observed.

A vote taken with Members attending remotely constitutes a valid vote towards the decision of the Council.

To commence a vote, the Cathaoirleach shall ensure that all electronic hand symbols are de-selected. Members will then display their electronic hand symbol in response to the Cathaoirleach's instructions during periods for indicating a vote for, against or an abstention.

Where a Member loses connectivity during a statutory vote, every effort will be made to re-establish a connection. If a connection cannot be restored within a reasonable timeframe, every effort will be made to allow the member to vote by telephone call with the Leas Cathaoirleach.

Where the Cathaoirleach has not formally declared the result of a vote, or is in doubt as to whether her/his declaration is right or wrong, he/she is entitled if he/she thinks fit to take a second vote on the matter, especially if he/she considers that through

some misunderstanding the first vote did not properly represent the sense of the Meeting at that time. The Cathaoirleach may clarify a decision by roll call vote.

Each Member present at a Meeting of the Council shall have a vote unless prohibited by any enactment.

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 Cathaoirleach who shall have and may choose to exercise such a vote.

22 Attendance of Public and Media

Members of the media and public can remotely attend Meetings by applying for a telecommunications link that is compatible with the technology available to the council.

The right of the public and representatives of the media to attend Council Meetings is subject to the following: -

A resolution decided by the Council to meet in committee.

Members of the public and representatives of the media will occupy the places, or use an agreed telecommunications link, allotted to their use.

The public shall be admitted subject to the availability of adequate accommodation or an agreed telecommunications link and public safety. Members of the public shall be seated and maintain silence and observe any directions given by the Cathaoirleach or by any employee in attendance upon the Council. Such employees are responsible for the execution of all measures necessary for the maintenance of order and decorum in and about the chamber and on any telecommunications links.

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 Cathaoirleach shall warn her/him and if the interruption continues shall order that person's removal or telecommunications link be disconnected.

In the case of a general disturbance in any part of the meeting room open to the public, or from a telecommunications link open to the public, the Cathaoirleach shall order that part to be cleared or the telecommunications link to be disconnected.

No camera, communication, screen or sound capturing technologies may be used to record any participants or proceedings in a Meeting of the Council without the prior approval of the Council.

Making or receiving voice calls on mobile telephones or computers shall not be permitted at Meetings of the Council or its committees except for the purposed of remote attendance.

During a meeting [from the time the meeting is opened until it is closed], the use of social media to report on business of the meeting is prohibited without the prior approval of the Members.

23 In Committee Meetings

Where the Council is of the opinion that the absence of members of the public and or 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, 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.

Where the Council has by resolution decided to meet in committee for some or all of the Meeting, each Member remotely attending a Meeting has personal responsibility to ensure and confirm to the Meetings Administrator that there is no other person present, or with access to the Member's equipment or telecommunications link, who is not entitled to hear, see or participate in the consideration of items at the Meeting. Once the exclusion has been agreed by the Members, the Meetings Administrator shall call on each member participating remotely to so confirm, and such confirmations shall be noted in the minutes before commencement of discussion on the matter at hand.

24 **Municipal Districts**

The Municipal District committees are,

- Athy Municipal District
- Celbridge Leixlip Municipal District
- Clane Maynooth Municipal District
- Kildare Newbridge Municipal District
- Naas Municipal District

The regulation of business and proceedings for each municipal district is subject to separate standing orders.

25 **Corporate Policy Group**

The Cathaoirleach and the cathaoirligh of the Strategic Policy Committees shall form the Corporate Policy Group, which shall meet as often as required under the chairmanship of the Cathaoirleach and shall provide a forum for discussion of policy affecting the whole Council and shall report to the Council.

Requests for deputations to full Council will be scheduled by the Corporate Policy Group.

The Corporate Policy Group must include representation from each municipal district. Where for any period a policy group does not contain a Member from a municipal district, the Members of the municipal district must be represented by either the Cathaoirleach of the Municipal District or such other Member selected by the municipal district committee.

26 **Strategic Policy Committees**

The Strategic Policy Committees of the Council shall be:

- Climate Action
- Economic Development, Enterprise, and Planning
- Environmental Services and Water
- Housing
- Local Community and Cultural
- Transportation, Safety and Emergency Services

Membership of the Strategic Policy Committees shall be in accordance with the Strategic Policy Committee Scheme of the Council.

The regulation of business and proceedings for each Strategic Policy Committee is subject to separate standing orders.

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.

The Council shall appoint, from among the Members of the Council, a cathaoirleach to each of the Strategic Policy Committees to hold office for a minimum period of three years which may be renewed by the Council. Subsequent cathaoirligh shall be appointed by the Council from among the existing Members of the relevant committee.

The cathaoirligh and Members of the Strategic Policy Committees shall reflect the proportionality and the distribution of elected representation on the Council, or, in default of agreement, the cathaoirligh and Members of the Strategic Policy Committees shall be appointed by the formation of groups pursuant to Paragraph 18 of Schedule 10 of the Act.

Every Member shall be a Member of one Strategic Policy Committee.

27 Committees – General

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 a special committee shall be for such period as the Council may determine when appointing the committee.

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 the provisions of paragraph 18 of Schedule 10 of the Act, (and the requirements of any other relevant enactment) will apply to appointments to committees.

Every special committee at its first meeting shall appoint a cathaoirleach from its Members and, where practical, fix the day and the hour of future meetings.

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.

In a committee, a motion or amendment may be proposed without a seconder, and a Member may speak more than once to any question, but otherwise, these Standing Orders shall apply

with suitable modification to the business of committees of the Council, and the Member who is cathaoirleach at any meeting of a committee shall determine questions of order.

Every committee in its proceedings shall be governed by the Standing Orders and resolutions of the Council affecting such committee.

A copy of every report of a committee to be submitted to the Council shall, before the submission thereof, be transmitted to every Member at least three clear days before the meeting at which it is to be considered or noted, save in cases of urgency when reading of the report to the meeting shall suffice.

Save for meetings of the Corporate Policy Group and such other committees as the Council may specify from time to time, representatives of the media and the public may be present at meetings of committees of the Council subject to the provisions of these orders and regulation of such attendance by resolution of the Council.

The Meetings Administrator shall summon a meeting of any committee at the request of the cathaoirleach of the committee, or any three of its Members, or whenever the Meetings Administrator deems it necessary in special circumstances that such committee shall meet.

The Cathaoirleach shall be an ex-officio Member of every committee and every sub-committee of the Council except those where Membership is fixed by statute.

In the absence of the cathaoirleach of a committee, the chair shall be taken by any Member of the committee agreed upon at the Meeting.

The cathaoirleach of each committee shall be responsible to the Council for the general management of the business entrusted to such committee.

Committees may appoint sub-committees from their number to facilitate the transaction of business. Each such sub-committee shall report to its appointing committee, but it shall not have the power to transact any business without express authority from the committee.

The Council may resolve itself into a committee of the whole Council for the transaction of business to be specified in the resolution.

The decisions of the committees of the Council shall not, except where otherwise provided in the Standing Orders, become binding 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.

28 Suspension of Standing Orders

Subject to the provisions and requirements of the Act, and any other enactment, any Standing Order, except numbers 13, 15, 17, 18, 19, 20 and 21 may at any time be suspended on a motion proposed without notice for the purpose of enabling any specific business defined in the suspensory motion to be considered and dealt with by the Council, subject to the requirement that at least two-thirds of the Members present vote in favour, any fraction in the calculation of two-thirds being disregarded.

29 Outside Bodies and Boards

Members appointed to outside bodies and boards must, in accordance with Section 141 of the Act, notify the local authority of attendance at all meetings by submitting a report within fifteen working days of the end of each quarter [31 March, 30 June, 30 September and 31 December in each year] and provide details of any payments made by and on behalf of the body, including mileage details if payment of expenses for travel by private vehicle is made.

30 Casual Vacancy

A casual vacancy shall be filled in accordance with Section 19 of the Act.

Where a casual vacancy arises in the Council in respect of a Member who was not a member of any registered political party (an "Independent Member") on the date of the election, the vacancy shall be filled in accordance with Section 19 (3) (b) of the Act and the procedure in Appendix 1 of these Standing Orders.

31 Amendment and Duration of Standing Orders

These Standing Orders shall remain in force from the date of their adoption, which date shall be recorded and entered on a copy to be held at the Council's head office, until the Council shall decide by resolution to repeal them. Pending any such resolution, these orders may be amended by a resolution of the Council for which two-thirds of the Members of the Council vote in favour. For this purpose, two-thirds of the Membership shall be determined by disregarding any fraction remaining after the calculation of two-thirds.

Adopted by Kildare County Council on 30 November 2020 pursuant to the provisions of Section 44 of the Local Government Act 2001 (as amended), in witness whereof the seal of the Council has been affixed.

Mark Stafford

Cathaoirleach, Kildare County Council

Peter Carey

Chief Executive, Kildare County Council

Appendix 1

Procedure for filling of a casual vacancy in respect of an Independent Member

- a. Following an election at any time during the term of office of that Council, each Independent Member shall lodge with the Meetings Administrator a sealed envelope (signed and dated by the Member concerned) containing a list of up to six names who shall be entitled to be co-opted to the Council in the event of a casual vacancy caused by that Independent Member. The list of names shall show a clear preference for the order of nomination, i.e. 1, 2, 3, etc.

The envelope shall also contain a signed form of consent to the nomination from each person so nominated and a declaration from each person so nominated that they were not, at the time of the election, and are not at the time of nomination, a Member of any registered political party.

The nomination date shall be the date on which the sealed envelope is received by the Meetings Administrator and said date will be marked on the sealed envelope by the Meetings Administrator. A person shall not be a valid nominee if their consent and declaration are not provided in the sealed envelope at the date of nomination.

- b. Each elected Independent Member shall be entitled, having made an initial nomination as referred to in (a) above, to submit revised nominations at any time during the term of office of that Council and any such revisions must be notified in writing to the Meetings Administrator, and a fresh sealed envelope, signed by the Independent Member concerned (to include the signed form of consent and

declaration of the nominees) and clearly dated shall be lodged with the Meetings Administrator. The envelope containing the previous nomination(s) shall be returned to the Independent Member concerned by the Meetings Administrator. Once revised nominations are received by the Meetings Administrator, any earlier nominations become invalid.

- c. To be eligible for consideration to fill a casual vacancy, the person nominated shall not have been a member of any registered political party between the date of the election and the date that the casual vacancy is being filled. A nominated person shall not be eligible for consideration to fill a casual vacancy unless (on or after the date of the casual vacancy arising) he/she has submitted her/his consent in writing to being co-opted to fill the casual vacancy and submitted a declaration that he/she has not been at the election date and nomination date a Member of a registered political party and that he/she meets the above eligibility requirements.
- d. The person proposed for co-option to fill the casual vacancy shall be the first valid nominee so nominated in the order of preference appearing on the list of nominee(s) contained in the sealed envelope submitted by the elected Independent Member, who has furnished the consent and statutory declaration referred to in (c) above.

- e. In the event of a casual vacancy arising in respect of a person co-opted in accordance with the procedure (d) above, the vacancy shall be filled by selecting the next valid nominee in the order of preference appearing on the list of nominee(s) contained in the most recent sealed envelope provided to the Meetings Administrator by the elected Independent Member prior to the casual vacancy arising.
- f. In the event of an elected Independent Member failing or refusing to submit nomination(s) in accordance with this procedure, or where there are no remaining valid nominees of said elected Independent Member, as referred to at (c) above, a casual vacancy arising shall be filled by resolution of the Council from amongst persons who meet the requirements to be a valid nominee as set out at (c) above.
- g. In the event of two or more valid nominees being proposed and seconded, the selection of the person to be co-opted shall be in the same manner as the method used for the election of Cathaoirleach as set out in Section 37 of the Act. The provisions in paragraphs (a) to (f) inclusive shall apply regardless of whether a Member elected as an Independent Member has affiliated to a registered political party since the date of her/his election.