

Minutes of the West Midlands Regional Management Board

28th October, 2005 at 11.00 a.m.
at Hereford and Worcester Fire and Rescue Service Headquarters

Present: **Representing Hereford and Worcester Fire Authority**
Councillors Bean, G Davis, and Yarranton;
Representing Shropshire and Wrekin Fire Authority
Councillors Hartin and Morgan;
Representing Stoke on Trent and Staffordshire Fire Authority
Councillor Bloomer and D Davis;
Representing Warwickshire County Council
Councillors Haynes and Hobbs;
Representing West Midlands Fire and Civil Defence Authority
Councillors Hinton (Chair) and Hogarth.

Advisors:

Chief Fire Officer Brown (Warwickshire Fire and Rescue Service)
Chief Fire Officer Doig (Staffordshire Fire and Rescue Service);
Chief Fire Officer Hayden (Hereford and Worcester Fire and
Rescue Service);
Chief Fire Officer Taylor (Shropshire Fire and Rescue Service).
Deputy Chief Fire Officer Randeniya (West Midlands Fire Service).

L Bateman (Treasurer);
J Gregory (Legal Adviser);
N Summers (Clerk);
C Witham (Deputy Legal Adviser);
S Worrall (Programme Manager).

Observer: Councillor C Jebb.

Apologies: Councillors Banks, Eade, Eustace, Jones and Shilton;
Chief Fire Officer Sheehan;
Jean Cole (Government Office West Midlands).

40/05 **Chair's Announcements**

The Chair welcomed everyone to the meeting, the first to be held at the new Headquarters of Hereford and Worcester Fire Service.

The Chair reported that he had attended a members' information day in Telford on 23rd September, 2005, and the Regional Management

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Board Chairs' Meeting held in London on 20th September, 2005, at which the Fire Service Minister, Jim Fitzpatrick, MP had been present.

41/05 **Minutes**

Resolved that the minutes of the meeting held on 26th July, 2005, be confirmed as a correct record.

42/05 **Meeting of the Programme Board**

The Board approved the notes of the meeting of the Programme Board held on 3rd October, 2005.

43/05 **FireControl**

The Clerk reported that in accordance with Minute No. 38/05, a letter had been sent to the Parliamentary Under Secretary of State, Mr Jim Fitzpatrick MP, expressing the Board's concern about the continuing delay and lack of information about the FireControl national project.

A response to this letter had been received from the Office of the Deputy Prime Minister (ODPM), indicating that the location of the West Midlands FireControl Centre had now been announced, and explaining why work on the Final Business Case was still ongoing.

The ODPM had announced on 10th August, 2005 that the West Midlands FireControl Centre would be located at the Wolverhampton Business Park.

A further letter had been received from the Minister reporting on the outcome of the recent consultation with Regional Management Boards on models of governance for Regional Control Centres. ODPM wished to adopt a uniform approach to governance of these Centres across the country and continued to favour the local authority company model. The Board was asked to confirm that it would be prepared to set up a company owned by the relevant authorities to run the new Control Centre.

ODPM had asked for a response to this letter by 21st October, 2005. The Programme Board had formulated the basis of a response which

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had subsequently been approved by all constituent Fire Authorities and sent to the Minister. The response indicated that it was accepted that a decision had now been made that the local authority company model would be adopted, and stressed that there now needed to be meaningful consultation and a full debate between all interested parties and civil servants on the detail of the proposals, dealing specifically with concerns already expressed about stability and transparency, financial arrangements, best value, and on the scope and location of national functions.

The Legal Adviser reported that he had been invited by the ODPM to sit on the group of lawyers advising on the company model.

It was reported that the FireLink provider would be selected in the near future. Once this decision was made, the timescales for the FireControl project could be established.

Resolved that the response sent to the ODPM on FireControl governance be endorsed.

44/05 **Presentation on FireControl**

The presentation was deferred to the next meeting of the Board to be held on 27th January, 2005.

45/05 **Stakeholder Engagement**

The Clerk reported that the Chairs of constituent Fire Authorities had, at the meeting of the Programme Board on 3rd October, 2005, discussed how best to achieve stakeholder engagement on regional matters.

The Board had approved a communications strategy in October, 2004, one element of which was to notify all stakeholders of full Regional Management Board meetings, and that following formal closure of the meeting, stakeholders present would be invited to remain and participate in an open forum (question and answer) session with members and officers. The communication strategy also indicated that communication with stakeholders in the context of the Regional Management Board, particularly with representative bodies, would be consultation rather than negotiation, which was seen to be a matter for

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individual fire authorities.

Some stakeholder engagement already took place through the seven regional project boards.

The Chairs decided to trial the open forum arrangement, and to consider the effectiveness of the arrangement at the next Programme Board/Chairs meeting. Representative bodies had therefore been invited to attend this Regional Management Board meeting, and to take part in an open forum at the conclusion of the proceedings.

The Chairs also felt that a wider stakeholder engagement strategy was needed, together with a review of the effectiveness of the communications strategy approved in October, 2004. Further reports on these matters would be submitted to the Chairs' Committee in due course.

46/05 **Standing Orders for the Regulation of the Proceedings and Business of the West Midlands Regional Management Board – Proposed Amendments**

The Legal Adviser proposed that minor amendments be made to the provisions relating to appointment of Chair and Vice Chair in the Board's Standing Orders, to reflect the provisions of the Constitution, and to the provision as to the timing of the Annual Meeting, in the light of experience.

Resolved that revised Standing Orders as set out in the attached Appendix be approved and adopted.

47/05 **West Midlands Regional Management Board Transition Strategy**
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Progress (ii)

The Board was advised on progress on the rationalisation of the modernisation programme to achieve a reduction to seven thematic project boards via a transition strategy. Progress against each of the recommendations agreed by the Board in Minute No 21/05 was noted.

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48/05 **West Midlands Regional Management Board Programme Plan 2005/06**

The Board received the draft Programme Plan for 2005/06, setting out the region's business plan and plans for modernisation for the current year. The Plan had been developed following consultation with each of the seven thematic project boards, and developed key activities drawn from the National Framework considered necessary to deliver the levels of reform and modernisation required within this region's fire and rescue services. The Plan had been endorsed by the Programme Board at its meeting on 3rd October, 2005.

The Programme Manager indicated that the Plan included a reporting process whereby the Senior Responsible Owners (SRO) for each theme would report quarterly to the Programme Board, commencing at the meeting to be held on 9th January 2006. In turn, the Chair as SRO for the whole Programme would report quarterly and annually to the Regional Management Board and other appropriate stakeholders.

Concern was expressed that the post of IRMP project manager within the Response theme had been vacant for some time and that this was impacting on progress within the theme. The Programme Manager indicated that a report would be submitted to the next meeting of the Programme Board to address this issue.

Resolved that the Programme Plan for 2005/06 be approved.

49/05 **Finance Review for the period ending 31st August, 2005**

The Treasurer submitted an update on expenditure to date against the approved budget allocation for 2005/06, and time spent on individual projects to date.

Chief Fire Officers had requested the extension of the video conferencing system installed at the Staffordshire and West Midlands authorities to the remaining three authorities, at a cost of £18,000, for which there was provision in the Programme Office budget.

The Treasurer indicated that the Office of the Deputy Prime Minister had now announced that there would be no further New Burdens funding available in 2005/06. This would affect the funding of the

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FireControl theme, and a revised project plan would be submitted to the next meeting of the FireControl Project Board.

Resolved that the allocation of £18,000 from the Regional Programme Office budget to fund the extended provision of video conferencing facilities across the region be approved.

50/05 **Audit arrangements for the Regional Management Board**

Further to Minute No 38/05, the Clerk reported that the Audit Commission had appointed KPMG LLP as auditors to the Regional Management Board.

Resolved that the appointment be endorsed.

51/05 **Consultation on Proposed Annual Efficiency Statement**

The Treasurer reported that Fire and Rescue Circular 30-2005 invited views from Fire and Rescue Authorities on proposals for annual efficiency statements, which would set out efficiency gains achieved or planned to contribute towards the Office of the Deputy Prime Minister efficiency target. English Fire and Rescue Authorities had been set a total target of £105m gross cashable efficiency savings in 2007/08.

Constituent Fire Authorities would be responding individually to the circular, but the opportunity had also been taken to draft a regional response capturing the main points of the individual replies. The closing date for responses was 5th October 2005, and the Programme Board had therefore been asked to approve the response on behalf of the Regional Management Board.

The regional response welcomed the establishment of a consistent methodology for reporting efficiency gains and the proposal to disseminate good practice, but sought clarity on how targets for individual authorities would be set and on the validity of some performance measures.

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52/05 **2004/05 Regional Backward-Looking Annual Efficiency Statement and 2005/06 Regional Annual Efficiency Statement**

Further to Minute No 51/05 above, the Treasurer reported that individual Fire and Rescue Authorities were required to submit returns to the Office of the Deputy Prime Minister (ODPM) by 17th November, 2005 setting out all efficiency gains made in 2004/05 and those planned in 2005/06. It was proposed also to submit a regional return setting out savings achieved through regional working and those achieved locally by individual authorities. This proposal had been endorsed by the Programme Board at its meeting on 3rd October, 2005. Two alternative versions of the regional efficiency statement were presented for the Board's comments.

Resolved:

- (1) that version 2 of the statement, categorising savings as authority specific or deriving from regional collaboration, be adopted as the standard regional format; and
- (2) that version 2 of the statement for 2004/05 and 2005/06 be approved for submission to the ODPM.

53/05 **Presentation - ODPM**

The presentation was deferred to the next meeting of the Board to be held on 27th January, 2005.

54/05 **Date of next meeting**

Friday, 27th January, 2006 at Staffordshire Fire and Rescue Service Headquarters.

(Meeting ended at 11.55 am)

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| <p><i>Contact Officer: Georgina Wythes</i> <i>Democratic Services Unit</i> <i>Sandwell MBC</i> <i>0121-569 3791</i></p> |
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**STANDING ORDERS FOR THE REGULATION OF THE PROCEEDINGS
AND BUSINESS OF THE WEST MIDLANDS REGIONAL MANAGEMENT
BOARD**

Procedure at Meetings

Time of Meetings

- 1.1 Meetings of the Board shall be held at such venue as may be fixed by the Board from time to time.
- 1.2 The annual meeting of the Board shall be held between 1 March and 31 July in each year.
- 1.3 Meetings of the Board shall normally be held at 10.30 am or at such other time as is fixed by the Secretary after consultation with the Chair.

Attendance

- 2.1 Members shall sign their names on a record of attendance to be provided by the Secretary.

Chair and Vice Chair

- 3.1 RMB shall at its annual meeting each year elect a Chair, and may elect one or more Vice Chairs, from amongst its members. The Chair, and if elected, any Vice Chair, shall (unless ceasing to be a member of the RMB) hold office until immediately before the start of the next annual meeting.
- 3.2 On a casual vacancy occurring in the office of Chair RMB shall elect from its members a person to replace the Chair. Any such election shall take place not later than the next ordinary meeting of RMB. If one or more Vice Chairs has been elected, RMB may elect a person or persons to replace any Vice Chair.
- 3.3 Any power or duty of the Chair in relation to the conduct of a meeting of the Board may be exercised by the person presiding at the meeting.

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Quorum

4.1 If during any meeting of the Board the Chair declares that there is not a quorum present, the meeting shall be closed and the remainder of the business dealt with at the next meeting of the Board. (The quorum prescribed is one third of the whole number of members (ie 5)).

Order Of Business

5.1 Unless varied under Standing Order 5.2 or 5.3 the order of business at every meeting of the Board shall be:-

(i) To choose a person to preside if the Chair and Vice-Chair are absent.

(ii) To approve as a correct record and sign the minutes of the last meeting of the Board.

(iii) To receive apologies.

(iv) To consider Motions by the Chair and any matters brought forward by his or her direction.

(v) To dispose of any business outstanding from the last meeting.

(vi) To receive and consider reports and recommendations of Panels.

(vii) To receive any reports from officers.

(viii) To consider any item not on the agenda of the meeting of the Board which, by reason of special circumstances, the Chair is of the opinion should be considered at the meeting as a matter of urgency, under the provisions of Section 100B(4)(b) of the Local Government Act 1972.

5.2 The Chair may at any meeting vary the order of the business but such a variation shall not displace business falling under 5.1(i) and (ii).

5.3 At the Annual Meeting of the Board, the Secretary shall, in addition to including on the agenda the statutory business relating to the appointment of the Chair and Vice-Chair, include:-

(i) an item requiring the Board to consider the constitution of Panels,

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their membership, and the appointment of chairs and vice-chairs to them and to take any necessary action in connection therewith; and

(ii) an item requiring the Board to consider the dates for ordinary meetings of the Board and of its Panels and to take any necessary action in connection therewith;

Minutes

- 6.1 If a copy of the minutes of the last meeting has been circulated to each member of the Board not later than five clear days before the meeting they shall be taken as read.
- 6.2 If the minutes have not been circulated prior to the meeting but have been tabled at least half an hour before the time fixed for the meeting the Chair shall move "that the minutes of the Meeting of the Board held on ... be taken as read."
- 6.3 Following 6.1 or the Motion being carried under 6.2 the Chair shall move that the minutes be signed as a true record.
- 6.4 No discussion shall take place upon the minutes, except upon their accuracy, and any question of their accuracy shall be raised by Motion under Standing Order 10.1(ii). If any such question is raised, then, as soon as it has been disposed of, the Chair shall sign the minutes.
- 6.5 Minutes shall not be presented to extraordinary meetings of the Board.

Interest Of Members (In Contracts And Other Matters)

- 7.1 Every Member Substitute Member or invited Member shall at all times comply with the principles specified in law including those specified by the Secretary of State under Section 49 of the Local Government Act 2000 which are to govern their conduct.
- 7.2 Any Member who has an interest defined in their Members' Code of Conduct shall comply with the requirements of that Code as regards the disclosure of that interest and as regards withdrawing from participation in consequence of that interest.

Questions

- 8.1 If three clear days' notice in writing thereof has been given to the Secretary, a

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member of the Board may ask a formal question of the Chair of the Board on any matter falling within the functions of the Board.

8.2 Every question of which notice has been given under Standing Order 8.1 shall be put and answered without discussion.

Notice Of Motion

9.1 Every notice of Motion (except those referred to in Standing Order 10) shall be given in writing, signed by the member of the Board giving the notice and delivered at least seven clear days before the next meeting of the Board at the office of the Secretary.

9.2 The Secretary shall (subject to Standing Order 9.7) set out in the summons for every meeting of the Board, 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 indicates in writing that they wish to withdraw it or to move it at some later meeting.

9.3 Where the notice of Motion has been given less than seven clear days before the next meeting of the Board, the Secretary shall, subject to Standing Orders 9.2 and 9.7, insert the notice in the summons for the next but one meeting of the Board.

9.4 If the member who gave the notice of Motion (or some other member) does not move it at the meeting of the Board at which it is set out in the agenda, it shall be treated as withdrawn.

9.5 If the subject matter of any Motion of which notice has been duly given comes within the terms of reference and/or delegation of any Panel, it shall, upon being moved and seconded, stand referred without discussion to that Panel.

9.6 Every Motion shall be relevant to some matter in relation to which the Board has powers or duties.

9.7 In the event of any notice of Motion being:-

(i) out of order;

(ii) containing reflections or imputations upon the conduct of any member or officer of the Board or otherwise being of a personal or objectionable nature;

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(iii) appertaining to any item of business included in a recommendation of a Panel to the meeting at which it was intended that the Motion would be dealt with; or

(iv) appertaining to the same matter as an earlier notice of Motion which will be included in the same summons,

the Secretary shall forthwith bring it to the attention of the Chair and the Chair may instruct the Secretary to exclude it from the summons or, with the advice of the Secretary, alter it to bring it into due form. The Secretary shall forthwith inform the member of the Board giving the notice of the Chair's decision.

Motions Not Requiring Notice

10.1 The following Motions and amendments may be moved without notice:-

(i) Appointing a Chair for the meeting.

(ii) Relating to the accuracy of the Minutes.

(iii) Bringing forward an item of business specified in the summons under Standing Order 5.2.

(iv) Adopting reports and recommendations of Panels or officers and any consequent resolutions.

(v) Establishing Panels, and appointing members, chairs and vice-chairs to them at the annual meeting of the Board and any consequent resolutions.

(vi) Appointing members to outside bodies.

(vii) Determining the dates for ordinary meetings of the Board and of Panels at the annual meeting of the Board and any consequent resolutions.

(viii) That the question be put.

(ix) Withdrawing Motions.

(x) Amending Motions (except those of which notice has been given

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under Standing Order 9).

(xi) Reference to a Panel (including reference back).

(xii) Adjourning the debate or the meeting of the Board.

(xiii) Excluding the public under Section 100A of the Local Government Act 1972.

(xiv) Giving consent of the Board where the consent of the Board is required by these Standing Orders.

(xv) By the Chair.

Rules Of Debate

11.1 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 9, it shall if the Chair so requests be put into writing and handed to the Chair before it is further discussed or put to the meeting.

11.2 A member when seconding a Motion or amendment may, if he or she then declares an intention so to do, reserve his or her speech until a later period of the debate.

11.3 A member when speaking shall address the Chair. If two or more members wish to speak, the Chair shall call on one to speak and determine the priority for other speakers, who shall speak when called by the Chair. While a member is speaking the other members shall remain silent, unless raising a point of order.

11.4 A member shall direct his or her speech to the question under discussion or to a point of order. A speech shall not exceed five minutes.

11.5 A member who has spoken on any Motion shall not speak again whilst it is the subject of debate, except:-

(i) to speak once on an amendment moved by another member;

(ii) if the Motion has been amended since he or she last spoke, to move a further amendment;

(iii) if his or her first speech was on an amendment moved by another

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member to speak on the main issue whether or not the amendment on which he or she spoke was carried;

(iv) in exercise of a right of reply given by Standing Orders 11.11 or 11.13(i); or

(v) on a point of order or personal explanation.

11.6 An amendment shall be relevant to the Motion and shall be either:-

(i) to refer a subject of debate to a Panel for consideration or reconsideration;

(ii) to leave out words;

(iii) to leave out words and insert or add others; or

(iv) to insert or add words;

but such omission, insertion or addition of words shall not have the effect of negating the Motion before the Board.

11.7 Only one amendment may be moved and discussed at a time, and no further amendment shall be moved until the amendment under discussion has been disposed of; provided that the Chair may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this course would facilitate the proper conduct of the Board's business and may direct the order in which such amendments are to be put to the Board.

11.8 If a Motion or an amendment is lost, other Motions or amendments may be moved on the original subject matter under discussion or Motion. If an amendment is 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.

11.9 A member may with the consent of the Board signified without discussion:-

(i) alter a Motion of which he or she has given notice; or

(ii) with the further consent of his seconder, alter a Motion which he or she has moved,

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if (in either case) the alteration is one which could be made as an amendment.

11.10 A Motion or amendment may be withdrawn by the mover but any other member may then move that Motion or amendment.

11.11 The mover of a Motion has a right to reply at the close of the debate on the Motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original Motion shall also have a right of reply at the close of the debate on the amendment, and shall not otherwise speak on the amendment.

11.12 When a Motion is under debate no other Motion shall be moved except the following:-

(i) to amend the Motion;

(ii) to adjourn the meeting;

(iii) to adjourn the debate;

(iv) that the question be now put;

(v) a Motion under Section 100A of the Local Government Act 1972, to exclude the public.

11.13 A member may move without comment at the conclusion of a speech of another member: "that the question be now put" or "that the Board do now adjourn", on the seconding of which the Chair shall proceed as follows:-

(i) on a Motion that the question be now put, the Chair shall first put to the vote without discussion the Motion "that the question be now put" and, if it is passed, then give the mover of the original Motion the right of reply under Standing Order 11.11 before putting that Motion to the vote;

(ii) on a Motion to adjourn the meeting, the Chair shall put the adjournment Motion to the vote without discussion, without giving the mover of the original Motion a right of reply on that occasion.

11.14 A member may raise a point of order or personal explanation and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the member shall specify the Standing Order or statutory provision and the way in which he or she considers it has been broken. A point of personal explanation shall be

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confined to some material part of a former speech made by the member at the same meeting which may have been misunderstood.

11.15 The ruling of the Chair on a point of order shall not be open to discussion.

11.16 Whenever the Chair rises during a debate a member then standing shall resume his or her seat and the Board shall be silent.

Breach Of Order

12.1 If at a meeting any member of the Board persistently disregards the ruling of the Chair presiding at the meeting or behaves irregularly, improperly or offensively, or wilfully obstructs the business of the Board, the Chair may direct the member to discontinue speaking.

12.2 If the member named continues his or her misconduct the Chair may direct the member to leave the meeting, and, on a refusal, order his or her removal from the meeting. In such circumstances the Chair may adjourn the meeting of the Board for such period as he or she considers expedient.

12.3 In the event of disturbance which in the opinion of the Chair renders the due and orderly despatch of business impossible, the Chair, in addition to any other power vested in him or her, may adjourn the meeting of the Board for such period as he or she considers expedient.

Attendance of Other Members

13.1 The Board may invite other elected members to attend meetings of the Board of Panels in an observer capacity. Such members may speak but not vote.

Attendance Of Officers

14.1 The Chief Fire Officers of each constituent Authority shall be entitled to attend and advise at meetings of the Board or its Panels. The Board may invite other officers.

Attendance Of Members Of The Public

15.1 No member of the public shall bring into or display in the part of the room open to the public any banner, placard, flag or similar device.

15.2 If any member of the public interrupts the proceedings at any meeting the

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Chair shall warn him or her. If he or she continues the interruption the Chair may order his or her removal from the room in which the meeting is taking place. In case of general disturbance by members of the public the Chair may order the part of the room where the disturbance is taking place to be cleared.

Voting Generally

- 16.1 Every question shall in the first instance be determined by voice "aye" or "no", but the Chair may, and if the decision be challenged must, take a show of hands.
- 16.2 The person presiding at the meeting shall, if there is an equality of votes, have a second or casting vote.
- 16.3 Where, immediately after a vote is taken at a meeting of the Board, and any member present at the meeting so requests, a record shall be made in the minutes of that meeting of whether the member voted for, or against, the Motion, or whether the member abstained from voting.

Rescission Of Previous Resolutions

- 17.1 No Motion to rescind any resolution passed within the preceding six months nor any Motion to the same effect as any Motion negatived within the preceding six months shall be in order unless the notice thereof shall have been given and specified in the summons and the notice shall bear, in addition to the name of the member who proposed the Motion, the names of five members and when any such Motion has been disposed of by the Board it shall not be competent for any member to propose a similar notice within a further period of six months.
- 17.2 Standing Order 17.1 shall not apply to any such Motion if moved by the Chair of the Board or by the Chair or other member of a Panel in pursuance of a report of the Panel.

Other Matters
Affecting The Conduct Of The Meeting

- 18.1 No person shall smoke in the room where any meeting is taking place and no photographs shall be taken, recordings made, or other apparatus used without the consent of the meeting.

Suspension Of Standing Orders

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- 19.1 Subject to Standing Order 19.2, any of the preceding Standing Orders may be suspended (other than those which are statutory requirements) so far as regards any business at the meeting where its suspension is moved.
- 19.2 A Motion to suspend Standing Orders shall not be moved without notice under Standing Order 9 unless it is moved by the Chair and duly seconded.
- 19.3 Such Motion or recommendation shall specify the Standing Order or Orders which it is proposed shall be suspended and the reasons therefor.
- 19.4 If such Motion or recommendation shall be carried the Chair shall record or cause to be recorded in the Minutes the reason for such suspension.

Variation And Revocation Of Standing Orders

- 20.1 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 Board.

Interpretation Of Standing Orders

- 21.1 The ruling of the Chair as to the construction or application of any of these Standing Orders, or as to any proceedings of the Board, shall not be challenged at any meeting of the Board.

JRG 30/12/03

Revised version approved by the Board 28/10/05