

COUNCIL PROCEDURE RULES

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1. ANNUAL MEETING OF THE COUNCIL

1.1 Timing and business

In a year when there is an ordinary election of councillors, the Annual Meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the Annual Meeting will take place in May.

The Annual Meeting will:

- (a) elect a person to preside if the Chairman of Council is not present;
- (b) elect the Chairman of Council;
- (c) elect the Vice Chairman of Council;
- (d) approve the minutes of the last meeting;
- (e) receive any announcements from the Chairman and/or Chief Executive;
- (f) elect the Leader;
- (h) appoint an Overview and Scrutiny Board, a Standards Committee and such other committees or Boards as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Cabinet functions (as set out in the tables in Part 3 of this Constitution);
- (i) agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution);
- (j) consider any business set out in the notice convening the meeting.

1.2 Selection of Councillors on Committees and Outside Bodies

At the Annual Meeting, the Council will:

- (a) decide which committees to establish for the municipal year;
- (b) decide the size and terms of reference for those committees;
- (c) decide, where appropriate, the allocation of seats to political groups in accordance with the political balance rules;
- (d) receive nominations of councillors to serve on each outside body and appoint to those outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the

Cabinet; details of ex officio appointments will be set out on the agenda.

2. ORDINARY MEETINGS

Ordinary meetings of the Council will take place in accordance with a programme agreed by the Head of Legal, Equalities and Democratic Services in consultation with the Leader and relevant Portfolio Holder. Ordinary meetings will:

- (a) elect a person to preside if the Chairman and Vice Chairman are not present;
- (b) approve the minutes of the last meeting;
- (c) receive any declarations of interest from members;
- (d) receive any announcements from the Chairman and/or the Head of Paid Service;
- (e) receive any announcements from the Leader;
- (f) deal with any business from the last Council meeting;
- (g) deal with questions on notice from members of the Council, in the order in which they have been received;
- (h) receive minutes and/or reports from the Audit Board;
- (i) consider reports and/or recommendations from the Cabinet including any proposals in relation to the Council's Budget and Policy Framework;
- (j) receive minutes from the Cabinet for information only and receive and answer questions on matters of clarification;
- (k) consider and (where appropriate) respond to recommendations from the Standards Committee;
- (l) consider recommendations from and (where appropriate) respond to any other Committees of the Council;
- (m) receive and consider reports from officers of the Council;
- (k) receive reports about the business of joint arrangements and external organisations and answer questions on matters of clarification;
- (n) consider motions (in the order in which they have been received);

- (o) consider any other business specified in the summons to the meeting;
- (p) to carry out all other matters, by law, which must be reserved to the Council;
- (q) to consider urgent items of business not specified on the summons to the meeting pursuant to paragraph 14 below;
- (r) other than items under sub-paragraphs (a) – (c), the order of business may be varied by the Chairman or by Council resolution.

3. EXTRAORDINARY MEETINGS

Calling extraordinary meetings

- 3.1 Any five members of the Council may sign a requisition and present it to the Chairman requesting him/her to convene an extraordinary meeting of the Council subject to paragraph 3.3 below.
- 3.2 A requisition presented under paragraph 3.1 must include details of the business it is proposed should be considered at the extraordinary meeting. In any event that business should:
 - (i) be about a matter for which the local authority has a responsibility or which affects the District of Bromsgrove;
 - (ii) not be defamatory; frivolous or offensive;
 - (iii) not be substantially the same as a question which has been put at a meeting of the Council in the past six months;
 - (iv) relate to functions which are the responsibility of the full Council or the committee or sub-committee to which the question is directed;
 - (v) be of a strategic nature; or
 - (vi) relate to the Budget and Policy Framework; or
 - (vii) relate to functions undertaken by the Council; or
 - (viii) not be business which could more appropriately be dealt with by an officer.
- 3.3 On receiving a requisition under paragraph 3.1 the Chairman may:
 - (a) convene an extraordinary meeting of the Council to take place on a date not later than 14 days after the date of requisition, or on such

other date as agreed between the Chairman and the signatories to the requisition; or

- (b) in consultation with the Chief Executive and Monitoring Officer refer the matter to the next available meeting of the Council if the Chairman is of the opinion that the business specified in the requisition is not so urgent as to require the calling of an extraordinary meeting; or
- (c) in consultation with the Chief Executive and Monitoring Officer refer the matter to the next available meeting of the Cabinet or a committee if the Chairman is of the opinion that the business specified in the requisition could be more appropriately be dealt with in that manner; or
- (d) decline to convene an extraordinary meeting if the Chairman, in consultation with the Chief Executive and Monitoring Officer, considers that the business specified in the requisition does not meet the requirements of paragraph 3.2.

3.4 The Chief Executive may call Council meetings in addition to ordinary meetings.

3.5 Those listed below may also request the Chief Executive to call Council meetings in addition to ordinary meetings:

- (a) the Council by resolution;
- (b) the Chairman of the Council;
- (c) the Monitoring Officer.

3.6 **Business**

Extraordinary meetings of the Council will consider only such business as is specifically stated on the agenda for the meeting. The extraordinary meeting will not consider motions (whether on Notice or without) or Questions from Members (whether or Notice or without) but may consider Minutes of the previous Council meeting, Cabinet or other Committee/Board meetings or such other items of business as may be appropriate in the interests of efficient administration of Council business.

4. **TIME AND PLACE OF MEETINGS**

Council meetings will normally commence at 6.00pm. The place of Council meetings will be determined by the Chief Executive and notified in the summons. The time and place of Committee meetings will be determined by the Chief Executive and notified in the summons.

5. NOTICE OF AND SUMMONS TO MEETINGS

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. Except in cases of exceptional urgency, at least five clear days before a meeting the Chief Executive will send a summons by post to every member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

6. CHAIRMANSHIP OF MEETING

6.1 The person presiding at the meeting will exercise any power or duty of the Chairman. Where these rules apply to committee and sub-committee meetings, references to the Chairman also include the Chairman of committees and sub-committees.

6.2 Where these rules provide for a maximum time to be devoted to an item or speech or other process, the Chairman may, if the Chairman and the majority of the members present agree, extend that time if it is felt appropriate in the interests of effective conduct of Council business.

6.3 Any ruling of the Chairman shall not be challenged.

7. QUORUM

7.1 Except as stated below, the quorum of a meeting will be one quarter of the whole number of members. During any meeting if the Chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

7.2 A motion to suspend any of those Rules set out in Article 16.2 in Part 2 of this Constitution will not be moved with or without notice unless at least two thirds of the number of Councillors present agree.

7.3 Rule 7.1 above shall not apply to committees, sub-committees or Boards whose terms of reference or Procedure Rules specify the quorum applicable to a meeting of that committee, sub-committee or Board.

8. ADVICE FROM OFFICERS

Whenever the Chief Executive, the Section 151 Officer or the Monitoring Officer considers it appropriate to give advice to the Council, they shall be at liberty to do so and the Council shall hear such advice.

9. QUESTIONS BY MEMBERS

On reports of the Cabinet or committees

- 9.1 A member of the Council may ask the Leader or the Chairman of a committee any question without notice upon an item of the minutes and/or any report of the Cabinet or a committee when that item is being received or under consideration by the Council.

Questions on notice

- 9.2 Subject to Rule 9.3, a member of the Council may ask:

- the Chairman;
- a member of the Cabinet; or
- the Chairman of any committee or sub-committee

a question on any matter in relation to which the Council, Cabinet, Committee or sub-committee has powers or duties or which affects the District of Bromsgrove.

The member who has been asked the question may, if appropriate, refer it to another member for answer.

A question shall not be regarded as affecting the District of Bromsgrove

(a) if it is one which relates to a national issue and would have no more effect on the District of Bromsgrove than it would on any other area; or

(b) if it relates to actions taken by or statements made by a body or individual connected with the District of Bromsgrove, but those actions or statements are not specifically related to the District.

Notice of questions

- 9.3 A member may only ask a question under Rule 9.2 if either:

- (a) he/she has given at least 2 clear working days' notice of the question to the Monitoring Officer; or
- (b) if the question relates to urgent matters, he/she has the consent of the Chairman and the Member to whom the question is to be put, and the content of the question is given to the Chief Executive not less than 2 hours before the start of the meeting.

Questions which may not be asked

9.5 The Chief Executive may reject a question

- (a) if it is not about a matter for which the local authority has a responsibility or which affects the District of Bromsgrove;
- (a) is defamatory; frivolous or offensive;
- (b) is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- (d) does not relate to functions which are the responsibility of the full Council or the committee or sub-committee to which the question is directed;
- (e) it is not of a strategic nature;
- (f) it does not relation to functions undertaken by the Council; or
- (g) the question could more appropriately be dealt with by an officer.

Reading the question at the meeting

9.6 The question will be read out at the meeting by the member who has asked the question or by another member on his/her behalf.

Response

9.7 An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Time limit for questions

- 9.8 At any meeting not more than 15 minutes in total shall be devoted by the Council to the asking and answering of questions under this rule, provided that the Chairman may at his or her discretion extend the time if the Chairman and the majority of those present agree. Any questions remaining unanswered shall (unless the member who gave notice of the question has indicated that it may be answered in writing) be dealt with at the next ordinary meeting of the Council, in the order in which they would have been dealt with at the original meeting.

10 ANNOUNCEMENTS

- 10.1 Each person entitled to make an announcement may speak for a total of five minutes.
- 10.2 Announcements must not relate to items on the agenda or exempt or confidential items.
- 10.3 In respect of the Leader's announcements only, members may ask questions by way of clarification. Up to five minutes in total may be devoted to Members' questions to the Leader.

11. MOTIONS ON NOTICE

Notice

- 11.1 The process for submitting Notices of Motion to be debated at Full Council will be as follows. By no later than 9.00 am on the seventh calendar day before the date of the meeting the originator of the motion must deliver to the Monitoring Officer by post or electronic means:

- (a) written notice of the motion; and
- (b) any supporting information and statistics.;

Subject to the provisions of 11.6 (Rejection of Notices of Motion) the Notice of Motion and any supporting information will be circulated to Group Leaders, linked into the Council's website for public access and tabled at Full Council.

- 11.2 No member shall be a signatory to more than one Notice of Motion on each agenda. Each Notice of Motion must clearly state the name of the Member submitting it.
- 11.3 The Monitoring Officer will maintain a record of all Notices received.

Motion set out in agenda

- 11.4 Motions will be placed on the agenda and dealt with in the order in which they were received, provided that where several Notices of Motion are considered by the Monitoring Officer to address a similar subject, they shall be grouped together.

Scope

- 11.5 Motions must be about matters for which the Council has a responsibility or which affect the District of Bromsgrove. A motion shall not be regarded as affecting the District of Bromsgrove
- (a) if it is one which relates to a national issue and would have no more effect on the District of Bromsgrove than it would on any other area; or
 - (b) if it relates to actions taken by or statements made by a body or individual connected with the District of Bromsgrove, but those actions or statements are not specifically related to the District.

Rejection of Notices of Motion

- 11.6 The Monitoring Officer may reject a Notice of Motion if:
- (a) the scope of the motion exceeds that set out in Rule 11.5 above
 - (b) it is defamatory, frivolous or offensive,
 - (c) it is substantially the same as one submitted within the previous six months;
 - (d) it requests the Council to make a decision which is outside the powers or responsibility of the full Council;
 - (e) it is not of a strategic nature;
 - (f) it does not relate to functions undertaken by the Council

Deferment of Motions

- 11.7 If the motion is about a matter which, in the opinion of the Chairman on taking the advice of the Chief Executive and the Monitoring Officer, should be dealt with in conjunction with a report by an officer, it shall automatically stand deferred until such time as that report can be presented to the Council, provided that no motion shall stand deferred for more than one ordinary meeting of the Council. The Council will be informed on the agenda of the contents of any motions standing deferred under this paragraph.

Referral of Motions

- 11.8 The Monitoring Officer will in consultation with the member submitting the Notice of Motion, the Leader, the Chief Executive and the Chairman, determine whether the motion will be placed on the agenda for Council or whether it might more appropriately be referred to the Cabinet or another Committee for determination, or to an officer for further action. Normally referral of a Notice of Motion will only take place in advance of a meeting of the Council. However, if circumstances warranting such a referral arise during the course of a meeting when a Notice of Motion is being debated the Chairman may at his/her discretion allow an amendment or alteration to be proposed that the Notice of Motion be referred to the Cabinet or another committee for determination, or to an officer for further action.
- 11.9 If a Notice of Motion is so referred to Cabinet or to a committee, it shall be placed on the agenda for the next available meeting of that Cabinet or that committee
- 11.10 If a Notice of Motion is referred to an officer, the Monitoring Officer will inform the Council on the agenda of the contents of any Notice of Motion referred to the Cabinet or a committee or an officer and, where appropriate, of the timescales within which the officer will respond to the author of the Notice of Motion.
- 11.11 The Monitoring Officer will inform the member who submitted the Notice of Motion what action has been taken pursuant to Rules 11.6 to 11.10 above.

Time Limit for Motions on Notice

- 11.12 At any meeting the total time allowed for consideration of all motions submitted under this Rule shall not, without the consent of the Council, exceed one hour. At the expiry of one hour (or such additional time agreed by the Council) the Chairman shall request the member speaking to conclude immediately and shall put to the vote, without further discussion, all questions necessary to dispose of the motion then under debate and shall put the motion to the vote provided that:

- (a) if the speech to be concluded is a speech proposing a motion, the Chairman shall allow the motion to be formally seconded (without comment);
- (b) if the speech to be concluded is a speech moving an amendment, the Chairman shall allow the amendment to be formally seconded (without comment) and the mover of the motion to exercise his/her right of reply; and
- (c) otherwise, the Chairman shall allow the mover of the motion to exercise his/her right of reply which shall not exceed 5 minutes.

Motions not considered within the Time Limit

11.13 If by reason of Rule 11.12 a motion is not moved either by a member who gave the Notice or by some other member on his/her behalf, it shall be either:

- (a) treated as withdrawn and shall not be moved without fresh notice. Any Notice which is deemed to be withdrawn under this paragraph shall not be subject to the six months time restriction contained in Rule 11.6 above; or
- (b) with the consent of the Council postponed to the next ordinary meeting of the Council.

12. PROCEDURAL MOTIONS WITHOUT NOTICE

The following procedural motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a committee or member arising from an item on the summons for the meeting;
- (f) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) that the question be now put to the vote (provided that the mover of the motion has not spoken in the debate)
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) to suspend a particular council procedure rule;
- (n) to exclude the public and press in accordance with the Access to Information Rules;

- (o) to not hear further a member named under Rule 18.3 or to exclude them from the meeting under Rule 18.4; and
- (p) to give the consent of the Council where its consent is required by this Constitution.

13. MOTIONS - RULES OF DEBATE

No speeches until motion seconded

- 13.1 Until the mover has moved a proposal and explained the purpose of it and the proposal has been seconded no other member may speak on the motion.

Right to require motion or amendment in writing

- 13.2 Unless Notice of the Motion has already been given, the Chairman may require any procedural motion or any amendment to be written down and handed to him/her before it is discussed.

13.3 Secunder's speech

When seconding a motion or amendment, a member may reserve his/her speech until later in the debate.

13.4 Content and length of speeches

- (a) Speeches must be directed to the question under discussion or to a personal explanation or point of order.
- (b) Unless otherwise provided by these Rules, no speech may exceed 5 minutes without the consent of the Chairman and a majority of those present.

13.5 When a member may speak again

A member who has spoken on a motion (including the mover and seconder) may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another member;
- (b) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (c) in exercise of a right of reply;

- (d) on a point of order; and
- (e) by way of personal explanation.

13.6 Amendments to motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration in accordance with 11.8 above;
 - (ii) to leave out words;
 - (iii) to leave out words and add others; or
 - (iv) to add words;so long as the effect of (ii) to (iv) is not to negate the motion.
- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the amended motion takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

13.7 Alteration of motion

- (a) An alteration to a motion must be either:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration in accordance with 11.8 above;
 - (ii) to leave out words;
 - (iii) to leave out words and add others;
 - (iv) to add words;so long as the effect of (ii) to (iv) is not to negate the motion.

- (b) A motion may be altered before it has been moved by the Member who submitted the motion (or another Member on his/her behalf) if the majority of those present agree.
- (c) Any motion may be altered after it has been moved and seconded by the mover of the motion if both the seconder and the majority of those present agree.

13.8 Withdrawal of motion

A member may withdraw a motion which he/she has moved. No member may speak on the motion after it has been withdrawn.

13.9 Right of reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the amendment has the right of reply. The mover of the original motion has the right of reply at the close of the debate on the amendment, but neither may otherwise speak on it.

13.10 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put to the vote;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) to exclude the public and press in accordance with the Access to Information Rules; and
- (h) to not hear further a member named under Rule 19.3 or to exclude them from the meeting under Rule 19.4.

13.11 Closure Motions

- (a) A member may move, without comment, the following motions at the end of a speech of another member:
 - (i) to proceed to the next business;
 - (ii) that the question be now put to the vote;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put to the vote is seconded and the Chairman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

13.12 Point of order

A member may raise a point of order at any time. The Chairman will hear him/her immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Chairman on the matter will be final and will not be open to discussion.

13.13 Personal explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member at the same meeting which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of a personal explanation will be final and will not be open to discussion.

14 CONSIDERATION OF RECOMMENDATIONS FROM CABINET AND REPORTS PRESENTED BY CABINET MEMBERS

- 14.1 Each report or recommendation from Cabinet will be presented by a member of the Cabinet whose initial presentation shall not exceed 15 minutes.
- 14.2 Other speeches shall not exceed 5 minutes.
- 14.3 The member of the Cabinet presenting the report or recommendation may, with the consent of the Chairman, respond to all questions raised or points made during the debate.
- 14.4 The member of the Cabinet presenting the report or recommendation has a right to reply at the end of the debate on the recommendation immediately before it is put to the vote.
- 14.5 The member of the Cabinet presenting the report or recommendation may alter or amend the recommendation if the majority of members present agree, provided such alteration or amendment is one which could be made as an amendment to a motion under Rule 13.6.
- 14.6 An amendment to a report or recommendation from Cabinet may be made provided such amendment is one which could be made as an amendment to a motion under Rule 13.6 and the procedure set out in Rule 13 insofar as it applies to amendments to motions shall apply to amendments to recommendations from Cabinet.

15. PREVIOUS DECISIONS AND MOTIONS

Motion to rescind a previous decision

A motion, the effect of which is to rescind a decision made at a meeting of Council within the past six months, cannot be moved unless the Notice of Motion is signed by at least 7 members.

16. URGENT ITEMS

Where there is a need to consider items of urgent business which are not specified in the summons to meeting, the member wishing to raise the same shall before the commencement of the meeting discuss the matter with the Chairman, the Chief Executive and the Monitoring Officer and the Leader and their collective decision as to whether to consider the item shall be conclusive.

17. VOTING

Majority

- 17.1 Except as provided in Rule 17.2 or where the Constitution provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the matter was put.
- 17.2 Changes to the Constitution shall be decided by a majority of at least two-thirds of the whole number of members present.

Chairman's casting vote

- 17.3 If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There is no restriction on how the Chairman chooses to exercise a casting vote.

Show of hands

- 17.4 Unless a recorded vote is demanded under Rule 17.5, the Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

Recorded vote

- 17.5 If any member present at the meeting demands it, the names for and against the matter to be decided or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote must be made before the Chairman calls for a show of hands.
- 17.6 In the interests of the efficient conduct of the meeting the Chairman shall decide how such a demand shall be administered. The ruling of the Chairman shall be final and not subject to debate or discussion.
- 17.7 Immediately after any vote is taken on a budget or Council Tax decision at a budget decision meeting of the Council, the names of those who voted for or against the motion or abstained shall be recorded.

17.7 required by the Local Authorities (Standing Orders) (England) Regulations 2014.

17.8 Right to require individual vote to be recorded

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the matter or abstained from voting.

17.9 Voting on appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

18. MINUTES

Signing the minutes

18.1 The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only aspect of the minutes that can be discussed is their accuracy.

No requirement to sign minutes of previous meeting at extraordinary meeting

18.2 Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

Form of minutes

18.3 Minutes will contain all motions and amendments in the exact form and order the Chairman put them to the vote.

19. EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 5 of this Constitution or Rule 21 (Disturbance by Public).

20. MEMBERS' CONDUCT

Standing to speak

- 20.1 When a member speaks at full Council he/she must stand and address the meeting through the Chairman unless the Chairman agrees or directs otherwise. If more than one member stands, the Chairman will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

Chairman standing

- 20.2 When the Chairman stands during debate, any member speaking at the time must stop and sit down. The meeting must be silent.

Member not to be heard further

- 20.3 If a member persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman or another member may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

Member to leave the meeting

- 20.4 If the member continues to behave improperly after such a motion is carried, the Chairman or another member may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

General disturbance

- 20.5 If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks necessary.

21. DISTURBANCE BY PUBLIC

Removal of member of the public

- 21.1 If a member of the public interrupts proceedings, the Chairman may warn the person concerned. If they continue to interrupt, the Chairman may order their removal from the meeting room.

Clearance of part of meeting room

- 21.2 If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

22. PRESENTATION OF PETITIONS AT COUNCIL MEETINGS

- 22.1 Petitions may be presented to the Chairman at a meeting of the Council by any member of the Council provided the petition has been received by the Monitoring Officer by 9.00am on the twelfth calendar day before the date of the meeting.
- 22.2 Presentation of petitions shall not be accompanied by any speech or comment. The Chairman will read out a summary of the subject matter of the petition.
- 22.3 Every petition shall, without discussion, stand referred to the Monitoring Officer who shall refer the petition to either the Overview and Scrutiny Board or the appropriate regulatory committee.

23. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

Suspension

- 23.1 All of these Council Rules of Procedure except Rule 17.7 and 18.2 may be suspended by motion on notice or without notice if at least two thirds of the number of members of the Council present agree. Suspension shall last until such time as the meeting agrees to reinstate the suspended rule(s), or the end of the meeting, whichever is the earlier.

Amendment

- 23.2 Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

24. APPLICATION TO COMMITTEES AND SUB-COMMITTEES

All of the preceding Council Rules of Procedure apply to meetings of full Council. None of the rules apply to meetings of the Cabinet. All of the preceding Rules except Rules 1-3, 10, 14, 15, 20.1, 20.2 and 22 apply to meetings of committees and sub-committees. Rules 24 – 26 shall apply only to meetings of committees and sub-committees.

25. ELECTION OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES

25.1 Election of Chairman and Vice-Chairman following Annual Meeting of the Council

Every Committee will, at its first meeting following the Annual Meeting of the Council, before proceeding to any other business, elect a Chairman and Vice-Chairman for the municipal year, in whose absence from a particular meeting, a Chairman for that meeting may be appointed.

25.2 Vacancy in Office of Chairman or Vice-Chairman of a Committee

In the event of a vacancy arising in the office of Chairman or Vice-Chairman of a committee, the committee will at its next meeting following the declaration of the vacancy appoint a member to fill the vacancy for the remainder of the municipal year.

26 EXTRAORDINARY MEETINGS OF COMMITTEES

The Chairman of a committee or the Chairman of the Council may summon an extraordinary meeting of the committee at any time. An extraordinary meeting shall also be summoned on the requisition in writing of a quarter of the members of the committee. The summons shall set out the business to be considered at the extraordinary meeting, and no other business than that set out shall be considered at that meeting.

27. APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES

27.1 When a member of the Council is unable to attend a particular meeting of a committee or sub-committee, he/she may appoint another member to attend the meeting as his/her substitute. Members may not arrange for substitutes to attend in their place at Cabinet.

27.2 Substitute members will have all the powers and duties of any ordinary member of the committee.

27.3 Substitute members may attend meetings in that capacity only:

- (a) where the ordinary member will be absent for the whole of the meeting; and

- (b) after notifying the Head of Legal, Equalities & Democratic Services before or at the commencement of the meeting of the intended substitution.

28. CALCULATION OF TIME

“Working day” shall not include a Saturday, Sunday, bank holiday, public holiday or other day on which the Council House is closed.

“Clear day” shall not include the date on which notice is given, or the date of the meeting.