Bromsgrove District Council

Procedure Rules

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Items marked with # also apply to Committee and Board meetings

Items marked with * cannot be suspended

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Bromsgrove District Council

Procedure Rules for Council and Committee Meetings

1. Introduction

1.1 These procedure rules apply to the Council and other meetings.

1.2 When a rule applies to a Committee, Sub-committee or Board, this is shown by # next to the heading.

1.3 The rules do not apply to the Cabinet or to Joint Committees or other meetings which operate under separate constitutions.

1.4 Nothing in these procedure rules overrides legal requirements which apply to the conduct of meetings.

2. Annual Meeting of the Council

Quorum: 16

2.1 In a year when there are ordinary elections the Annual Meeting will be held within 21 days of the retirement of the outgoing Councillors. In any other year, the Annual Meeting will take place in May. The meeting will usually start at 6.00pm.

2.2 The Annual Meeting will:

(a) elect a person to preside if the Chairman and Vice-Chairman are not present;

(b) elect a member who where possible is not a member of a political group represented in Cabinet, as the Chairman of the Council;

(c) elect the Vice-Chairman of the Council;

(d) receive any declarations of interest from Councillors;

(e) approve the minutes of the last meeting;

(f) receive any announcements from the new Chairman and/or the Chief Executive;

(g) in the year of ordinary elections of Councillors, or when there is a vacancy, elect the Leader;

(h) consider questions on notice from members of the Council in the order in which they have been received, in accordance with procedure rule 9;

(j) consider motions in the order in which they have been received, in accordance with procedure rule 10;

(i) agree:

(i) the terms of reference of,

(ii) size and

(iii) appoint to, in accordance with political balance rules,

Committees and Boards as appropriate to deal with matters which are not functions of the Council or Cabinet;

(i) agree the scheme of delegation;

(j) consider other business required by legislation;

(k) to consider any business set out in the notice for the meeting.

3. Ordinary Meetings of the Council

Quorum: 16

3.1 Ordinary meetings of the Council will take place in accordance with a programme agreed by the Head of Legal, Equalities and Democratic Services following consultation with the Leader and relevant Portfolio Holder. Council meetings will usually start at 6.00pm.

3.2 Ordinary meetings will:

(a) Elect a person to preside if the Chairman and Vice-Chairman are not present;

(b) Receive any declarations of interest from Councillors;

(c) Approve the minutes of the last meeting;

(d) receive any announcements from the Chairman and/or the Chief Executive;

(e) receive any announcements from the Leader of the Council (*see also Procedure rule 14*);

(f) receive comments, questions or petitions from members of the public and/or from Councillors on their behalf, in accordance with procedure rule 8;

(g) deal with any business from the previous Council meeting;

(h) deal with questions on notice from members of the Council in the order in which they have been received, in accordance with procedure rule 9;

(i) receive minutes and/or reports from the Audit, Standards and Governance Committee;

(j) consider reports and/or recommendations from the Cabinet. These may be presented as minutes of recent meetings of the Cabinet which contain recommendations and are also used to report on recent activity;

(k) consider recommendations from any other Committees of the Council which require approval;

(l) receive nominations and make appointments to outside bodies, except where appointment to the bodies has been delegated by Council or can be carried out only by the Cabinet. Details of ex-officio appointments will be set out in the agenda.

(m)receive and consider reports from officers of the Council;

(n) Receive and consider an annual report from one Portfolio Holder in accordance with Procedure rule 20;

(o) Once a year, receive and consider an annual report from the Overview and Scrutiny Board about the work carried out by that Board, presented by its Chairman;

(p) Once a year, receive and consider an annual report from the Audit, Standards and Governance Committee about the work carried out by that Committee, presented by its Chairman;

(q) receive reports about activities of joint bodies to which the Council belongs, or other external organisations of interest to the District and ask questions about the report;

(r) consider motions in the order in which they have been received, in accordance with procedure rule 10;

(s) Consider any other business set out in the agenda;

(t) To consider any urgent business not included in the agenda in accordance with legal requirements and subject to agreement with the Chairman prior to the meeting.

(u) Other than items under paragraphs (a) – (c) the order of business may be varied by the Chairman or by Council resolution.

4. Extraordinary Meetings of the Council

Quorum: 16

Extraordinary meetings are additional meetings to those set out in the annual programme and are called to consider specific business.

4.1 The following may ask the Chief Executive to call an Extraordinary meeting of the Council:

(a) the Council by resolution;

(b) the Chairman of the Council;

(c) the Monitoring Officer;

(d) the Chief Financial Officer

(e) any 5 members of the Council if they have signed a requisition presented to the Chairman of the Council asking him/her to call an Extraordinary meeting and he/she has either refused to call such a meeting, or has failed to do so within seven days of the presentation of the requisition.

Business to be transacted:

4.2 Extraordinary meetings of the Council will only consider the business on the agenda for the meeting, as set out in the requisition to convene it, and any other business which in the opinion of the Chief Executive is relevant to it. Meetings will usually start at 6.00pm.

4.3 The agenda for an Extraordinary meeting will not include Motions on Notice or Questions.

4.4 The agenda for an Extraordinary meeting may include approval of the minutes of the previous Council meeting and minutes of the Cabinet or other Committee/Board meeting or such other items of business as may be appropriate to ensure the efficient administration of Council business.

5. Notice of and Summons to Meetings

5.1 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.

5.2 Except in cases of urgency, at least 5 clear days before a meeting, the Chief Executive will send an agenda and reports to each member of the Council/Committee etc.

5.3 The agenda will give the date, time and place of each meeting, the business to be carried out and include available reports.

6. Previous Decisions and Motions

6.1 A motion, the effect of which is to rescind a decision made at a meeting of the Council within the previous 6 months (or has the same effect as one which has been rejected in the last 6 months) cannot be moved unless a Notice of Motion is signed by at least 7 Councillors, or is recommended by a meeting of the Cabinet or a Committee.

7. Urgent Business

7.1 If a Councillor wishes to raise an item of urgent business which is not set out in the agenda for a meeting, s/he must discuss the issue before the meeting with the Chairman, Leader, Chief Executive and Monitoring Officer.

7.2 Having taken advice, the Chairman will decide whether or not the issue can be considered at the meeting.

8. Public Participation at Council Meetings

What is included

8.1 The agenda for each ordinary meeting of the Council will include a period of up to 15 minutes for members of the public to put comments about matters in the agenda and/or questions to the Council and to present petitions. The Chairman of the Council may agree to allow a similar arrangement at Extraordinary meetings of the Council.

8.2 The Chairman of the Council will have complete discretion as to how public participation is conducted and may agree to extend the time available under exceptional circumstances.

8.3 Comments, questions or petitions must be about matters for which the Council is responsible or which affect the District. The Council will not consider comments, questions or petitions that relate to specific planning or

licensing matters. Neither will it consider matters which are confidential or exempt.

8.4 The Monitoring Officer may reject any comments, questions or petitions that:

- are, or appear to be, defamatory, racist or contain offensive language, or are otherwise not appropriate for consideration at a Council meeting;
- are substantially the same as a question that has been put to a meeting of the Council in the last 6 months;
- would more appropriately be considered at a meeting of the Cabinet or a Committee, in which case the request to participate will be passed to the relevant body.

8.5 Members of the public do not include:

- Employees of the Council or their representatives, on any matter relating to their employment;
- Any applicants for, or recipients of, approvals, permissions or licenses;
- Any person in a contractual relationship with the Council on a matter relating to that contract;
- Councillors from a Local Authority on a matter concerning that local authority.
- Political parties or persons asking question on behalf of a political party. For the purposes of this section a political party is an organisation that has been registered as such by the Electoral Commission.

How to Apply

8.6 A copy of the comment, question or terms of petitions must be provided to the Monitoring Officer by12 noon seven clear working days prior to but not including the date of the meeting (). This may be in writing or by e-mail and should include:

- The name of the person to whom it is addressed – at the meeting this will go to the Chairman in the first instance;
- The name and address of the person submitting it;
- In the case of petitions, the number of signatories with their names and addresses supplied.

8.7 The Chairman has discretion to allow a question and/or comment from a member of the public received after the deadline in exceptional circumstances.

At the Meeting

8.8 A member of the public may spend up to 3 minutes to:

(a) Present a petition and explain its purpose;
(b) Ask a question, or
(c) make a comment on a matter on the agenda

Members of the public who register to participate in a meeting of Council under the rules set out in this section can do so using one of the three options below:-

- By attending in person and addressing the committee verbally;
- By joining the meeting virtually by video link and addressing the committee verbally; or
- By providing a written statement in advance of the meeting to be read out by an officer.

8.9 A petition may be presented to the Council by a Councillor acting on his/her own behalf or on behalf of members of the public.

8.10 The Chairman will receive a petition. If the petition relates to a matter on the agenda for the meeting it may be referred to during the debate on that item. Usually a petition will be received without comment at the meeting but the Chairman will ensure it is responded to as quickly as possible.

8.11 A question should be addressed to the Chairman of the Council who may reply in one of the following ways:

(a) An oral answer;
(b) By asking the Leader or another Councillor to reply, ether orally or in writing;
(c) By asking an Officer to reply in writing;
(d) By referring to information in a publication;
(e) A written answer following the meeting, a copy of which will be published on the Council's website and included with the signed minutes of the Council meeting.

8.12 No response will be given to a comment under this item but it may be referred to during the debate on the relevant item.

9. Questions from Councillors at Council Meetings

9.1 A Councillor may ask the Leader or the Chairman of a Committee any question without notice on an item of the minutes and/or any report of the Cabinet or Committee when that item is being received or considered by the Council.

Questions on Notice

9.2 A Councillor may ask:

- The Chairman;
- A member of the Cabinet;
- The Chairman of any Committee or Sub-Committee

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

The content of the question should comply with Procedure rule 9.8 - Content

Deadline for Questions

9.3 The deadline for questions to be received by the Monitoring Officer is 12 noon, seven clear working days prior to but not including the date of the meeting

9.4 A question must be submitted in writing.

9.5 If a question relates to an urgent matter, the Councillor should obtain the permission of the Chairman and submit the question to the Monitoring Officer not less than 2 hours before the start of the meeting at which it will be asked.

Content

9.6 The Monitoring Officer may reject a question if:

(a) it is defamatory, frivolous or offensive,

(b) it is substantially the same as one submitted within the previous six months;

(c) it asks the Council about a matter which is outside the powers or responsibility of the full Council;

(d) it relates to a specific planning or licensing matter;

(e) it does not relate to functions undertaken by the Council.

(f) It could be dealt with more appropriately by an officer;

At the meeting

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

9.8 The answer may be given as:

(a) A direct oral answer;

(b) A reference to information contained in a publication; or

(c) Where the answer cannot conveniently be given orally, a written answer, circulated to the questioner at the latest with the minutes of the Council meeting and appended to the signed copy of the minutes.

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

9.10 Every question shall be put and answered without discussion.

Supplementary Questions

9.11 A Member asking a question under rule 9.2 may, without notice, ask one supplementary question of the member to whom the first question was addressed. The supplementary question must arise directly out of the original question or the reply.

Time limit

9.12 At each meeting a maximum of 15 minutes will be allowed for the asking and answering of questions under this procedure rule.

9.13 The Chairman may at his/her discretion extend the time if s/he and the majority of those present agree.

9.14 Any questions that remain unanswered shall be dealt with at the next ordinary meeting of the Council in the order in which they were received, unless the Councillor who gave notice of it agrees to receive the answer in writing.

10 Motions on Notice at Council Meetings

10.1 Any Councillor may give notice of not more than one Motion for consideration at any meeting of the Council.

Deadline for Motions

10.2 Notices of Motion must be submitted to the Monitoring Officer by 12 noon seven clear working days, prior to but not including the date of the meeting

10.3 A Motion must be submitted in writing.

Urgent Notice of Motion

10.4 If a Motion relates to an urgent matter and otherwise complies with the requirements set out in this procedure rule, the Councillor submitting it should obtain the permission of the Chairman and submit the Motion to the Monitoring Officer not less than 24 hours before the start of the meeting at which it will be moved.

Content

10.5 The Notice must contain a written notice of the motion;

10.6 Motions must be about matters for which the Council is responsible or which affect the District.

10.7 The Monitoring Officer may reject a Notice of Motion if:

(a) it is defamatory, frivolous or offensive,

(b) it is substantially the same as one submitted within the previous six months;

(c) it requests the Council to make a decision which is outside the powers or responsibility of the full Council;

(d) it is not of a strategic nature;

(e) it does not relate to functions undertaken by the Council.

At the meeting – Proposal and Withdrawal of Motion

10.8 The Motion can be moved by the Signatory to the Notice or another Councillor on their behalf.

10.9 If a Motion is not moved at a Council meeting, it will lapse and can only be moved again if Notice is given in accordance with these procedure rules.

Deferment of Motions

10.10 If, having taken advice from the Chief Executive and Monitoring Officer, the Chairman considers that the Motion should be dealt with in conjunction with a report from an Officer, the Motion will be deferred until this can be arranged.

10.11 No Motion shall be deferred for longer than one Ordinary meeting of the Council. The Chairman will inform the Council under his/her Announcements of any such deferrals.

Referral of Motions

10.12 If a Notice of Motion relates to an Executive function and is proposed and seconded, the Council may discuss the matter in order to inform the Cabinet's consideration of it. It cannot decide the matter.

10.13 Motions which relate to matters reserved to the Council or to non-Executive functions may be debated and decided by the Council.

10.14 If the motion is not debated, it will be referred to the Cabinet or appropriate body to consider and report back to the Council with recommendations on how to proceed.

10.15 If a Motion is referred to the Cabinet or another Committee for consideration, then the Proposer of the Motion will be invited to attend the relevant meeting when it is discussed to introduce and speak to it.

Time Limit for Motions on Notice

10.16 At each meeting up to one hour shall be allowed for consideration of all Motions on Notice. This may only be exceeded with the agreement of the Council.

10.17 At the end of the hour – or other time period if agreed by the Council – the Chairman will ask the Councillor speaking to conclude immediately.

(a) If the speaker is proposing the motion then it can be formally seconded without comment;

(b) If the speaker is moving an amendment, the Chairman will allow the amendment to be formally seconded, without comment, and the mover of the motion to exercise their right of reply;

(c) If neither (a) nor (b) then the mover of the motion will be allowed to have their right of reply for up to 5 minutes.

10.18 The Chairman will put to the vote, without further discussion, all questions necessary to dispose of the motion being debated and put the Motion to the vote.

10.19 If as a result of reaching the time limit a motion is not moved by either the Councillor who gave notice or another Councillor on their behalf, it shall be either:

(a) treated as withdrawn and cannot be moved without fresh notice, although it will not be restricted by the 6 month rule set out at Procedure rule 6; or

(b) with the consent of the Council, be postponed until the next Ordinary meeting.

11 Chairing the Meeting

11.1 The person presiding at the meeting may exercise any powers or duty of the Chairman.

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

11.3 Any ruling of the Chairman shall not be challenged.

12 Councillor Conduct # 12.1 only

12.1 Councillors are expected to treat each other with respect and abide by the Code of Conduct.

12.2 When a Councillor speaks at a meeting of the Council s/he must, if able, stand and address the meeting through the Chairman unless the Chairman agrees and directs otherwise. Only one Councillor may stand at a time. Other Councillors must remain seated whilst a Councillor is speaking, unless they wish to make a point of order or a point of personal explanation (Procedure rule 17.6).

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

Prevention of Disorderly Conduct #

Prevention of Disorderly Conduct – Councillors and Public

12.4 The Chairman may take the following action if a Councillor persists in misconduct:

(a) forbid the Councillor from speaking for all or part of the meeting;

(b) tell the Councillor to leave all or part of the meeting;

(c) order the Councillor to be removed from the meeting;

(d) adjourn the meeting for an appropriate time to try and resolve the situation.

12.5 Similar action can be taken if a member of the public disrupts the meeting.

12.6 If there is more general disorder in any part of the room where the meeting is being held which is open to the public, the Chairman may order that part to be cleared and may adjourn the meeting as appropriate.

12.7 Members of the public are permitted to take photographs, films, video record or audio record a Council and other meetings open to the public, provided that they do not intimidate public speakers or cause disruption and abide by any directions given by the Chairman. Oral commentary is not permitted. Members of the public intending to record meetings should notify the Democratic Services Manager in advance of the meeting. The Council's protocol is on the website and explains this further.

12.8 The taking of photographs, filming, video or audio recording is not permitted at private meetings or where the public have been excluded. Recording equipment must not be left in a meeting room after the public have been excluded.

13 Quorum

13.1 The quorum of a meeting will be a proportion of the voting members of the Committee, Sub-Committee or Board etc, as agreed by the Council from time to time.

13.2 If at any time during the meeting the Chairman declares that there is not a quorum present, the meeting will adjourn immediately for 15 minutes.

13.3 If after that time there is still not a quorum present, the meeting shall end.

13.4 Any remaining business will be considered at the next meeting, whether ordinary or extraordinary, unless the Chairman makes other arrangements prior to the next meeting.

14. Announcements

14.1 Each person entitled to make an announcement may speak for a total of five minutes.

14.2 Announcements must not relate to items on the agenda or exempt or confidential items.

14.3 In respect of Leader's announcements only, Councillors may ask questions by way of clarification. Up to five minutes in total may be devoted to Councillors' questions to the Leader.

15. Minutes

15.1 The Chairman will sign the minutes of the proceedings at the next suitable meeting.

15.2 The Chairman will propose that the minutes of the previous meeting be signed as a correct record. The only aspects of the minutes which can be discussed is their accuracy.

15.3* If the next meeting is an Extraordinary meeting (called under Para 3 of Schedule 12 to the Local Government Act 1972) then the minutes will usually be signed at the next following Ordinary meeting.

* *Mandatory procedure rule, Local Authorities (Standing Orders) Regulations 1993*

16. Advice from Officers

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

17. Rules of Debate

Not every debating possibility can be covered in these procedure rules. In the event of an issue not being covered by them, the Chairman's ruling shall be final.

Dealing with Motions and Amendments

17.1 A motion or amendment must be proposed and seconded before it can be discussed.

17.2 The Chairman may require any procedural motion to be written down and handed to him/her before it is discussed.

Speeches

17.3 Speeches may not exceed 5 minutes without the consent of the Chairman and a majority of those present.

17.4 Speeches must be about the item being discussed or about a point of order or personal explanation.

17.5 When seconding a motion or amendment, a Councillor may reserve their speech until later in the debate.

When Councillors may speak more than once, including Point of Order and Personal Explanation

17.6 A Councillor may only speak once on a motion except:

(a) to speak once on an amendment moved by another Councillor;

(b) if their first speech was on an amendment and that has now been dealt with, to speak on the main proposal;

(c) to exercise a right of reply as a mover of a motion (not an amendment);

(d) on a point of order or by way of personal explanation.

(i) A point of order may only relate to an alleged breach of these Council procedure rules or the law and the Councillor must indicate the way in which s/he considers it has been broken. The ruling of the Chairman will be final and not open to discussion.

(ii) Personal explanation may only relate to some material part of an earlier speech by the Councillor at the same meeting which may appear to have been misunderstood in the current debate. The ruling of the Chairman on the admissibility of a personal explanation will be final and not open to discussion.

(e) to move a further amendment;

(e) to make a motion to close the debate.

Amendments

17.7 An amendment must be relevant to the motion and will be:

(a) to refer the matter to an appropriate body or individual for consideration or reconsideration;

(b) to leave out words

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

(d) to insert or add words

As long as the effect of (b) to (d) is not to negate the motion.

17.8 Only one amendment may be dealt with at a time.

17.9 Amendment not carried – a further amendment to the motion may be moved.

17.10 Amendment carried – the amended motion takes the place of the original motion. It is known as the "substantive motion" and further amendments may be moved to this.

17.11 After an amendment is carried the Chairman will read out the amended motion before accepting any amendments. If there are no further amendments the substantive motion is debated before being put to the vote.

Alteration of Motion

17.12 An alteration to a motion must be either:

(a) to refer the matter to an appropriate body or individual for consideration or reconsideration;

(b) to leave out words;

(c) to leave out words and add others;

(d) to add words;

So long as the effect of (b) to (d) is not to negate the motion.

When a motion can be altered

17.13 A motion may be altered:

(a) before it has been moved by the Councillor who submitted it (or another Councillor on his/her behalf) if the majority of those present agree;

(b) after it has been moved and seconded if both the mover and seconder and the majority of those present agree.

Withdrawal of Motion

17.14 A Councillor may withdraw a motion which s/he has moved. Once withdrawn it cannot be discussed any further.

Rights of Reply – motions and amendments

17.15 Mover of motion has right of reply at end of debate on the motion, immediately before it is put to the vote.

17.16 If an amendment is moved, the mover of the original motion has right of reply at close of debate on the amendment but shall not speak on it apart from this. The mover of the amendment has right of reply at end of debate on the amendment, immediately prior to the final right of reply of the mover of the original motion.

Motions which may be moved during debate

17.17 During debate on a motion, the following are the only further motions that can be moved:

(a) to amend a motion;

(b) closure motions – see procedure rule 17.19 below;

(c) under Procedure rule 12.4 that a Councillor is not heard further; or that a Councillor leave the meeting;

(d) to exclude the public and press in accordance with the Access to Information rules.

Procedural Motions without notice

17.18 The following procedural motions may be moved without notice:

(a) to appoint a Chairman of the meeting;

(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 a member arising from an item on the agenda for the meeting;

(f) to receive reports or adopt recommendations from Committees or Officers and any resolutions following from them;

(g) closure motions under procedure rule 17.18;

(m) to suspend a particular procedure rule;

(n) to exclude the public and press in accordance with Access to Information Rules;

(o) to not hear further a member named under rule 12.4 or to exclude them from the meeting;

(p) to give the consent of the Council where it is required under this constitution.

Closure Motions

17.19 A Councillor may move, without comment, the following motions at the end of a speech of another Councillor:

(a) to proceed to next business;

(b) that the question now be put to the vote;

(c) to adjourn a debate;

(d) to adjourn a meeting.

17.20 **"That the meeting proceed to next business"** – if seconded and the Chairman thinks the item has been sufficiently discussed, s/he gives mover of motion right of reply and procedural motion is put to the vote.

17.21 **"That the question now be put"** – if seconded and the Chairman thinks the item has been sufficiently discussed, s/he will put the procedural motion to the vote. If passed, the mover of the original motion has the right of reply before the motion is put to the vote.

If the Chairman considers there has been insufficient debate, s/he may refuse to accept the motion.

17.22 **"That the debate be now adjourned"** and **"that the meeting do now adjourn"** – if seconded and the Chairman thinks the item has not reasonably been discussed and cannot reasonably be discussed on this occasion, s/he will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

18. <u>Voting</u>

18.1 Unless a recorded vote is demanded or required, voting shall be by general assent or by show of hands. Any matter will be decided by a simple majority of those present and entitled to vote in the meeting at the time the question was put.

18.2 If there is an equal number of votes for and against, the Chairman may use a second or casting vote. There is no restriction on how the Chairman chooses to use a casting vote.

Recorded Votes

18.3 If before the Chairman has called for a show of hands, any Councillor present at a meeting demands it, the vote shall be recorded to show the names of those who voted for or against the motion and those who abstained.

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

Mandatory Procedure Rule, Local Authorities (Standing Orders) Regulations 1993

18.5***** 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.

Mandatory Procedure Rule, Local Authorities (Standing Orders) (England) Regulations 2014

Voting on Appointments

18.6 If there are two or more 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.

18.7 Should there be an equality of votes in a vote on the appointment of the Chairman of a Committee, lots will be drawn at the meeting, through the selection of the name of one of the remaining two candidates from a hat, to appoint a Chairman to preside at that meeting. The appointment of the Chairman of that Committee for the remainder of the municipal year will then be included as the first item on the agenda for consideration at the following meeting.

19. Consideration of Recommendations from Cabinet and Reports presented by Cabinet Members

19.1 Each report or recommendation from Cabinet will be presented by a member of the Cabinet whose initial presentation shall not exceed 10 minutes.

19.2 Other speeches shall not exceed 5 minutes.

19.3 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.

19.4 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.

19.5 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 17.7 – 17.11.

19.6 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 17.7 and the procedure set out in Rule 17 insofar as it applies to amendments to motions shall apply to amendments to recommendations from Cabinet.

20. Annual Reports from Portfolio Holders

20.1 At each ordinary meeting of the Council there will be an item on the agenda to receive and consider an annual report from one portfolio holder.

20.2 The report will include important matters from the previous 12 months and forthcoming policy issues which the Portfolio holder wishes to raise with the Council.

20.3 Each report will be presented by the Portfolio Holder and their initial presentation shall not exceed 10 minutes.

20.4 Councillors may ask questions of the Portfolio Holder. Questions and answers shall not exceed 3 minutes.

20.5 A maximum of 30 minutes will be allowed for this item at the meeting.

20.6 Councillors will not take any decisions in connection with or vote on the report. The main issues raised during discussion of the reports will be minuted.

21. Suspension and Amendment of Council Procedure Rules

Suspension

21.1 All of these Council Rules of Procedure except Rule 15.3, 18.4 and 18.5 may be suspended by motion on notice or without notice if a majority of those present and entitled to vote 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

21.2 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.

22. Application to Committees and Sub-Committees

22.1 All of the preceding Council Rules of Procedure apply to meetings of full Council. None of the rules apply to meetings of the Cabinet.

22.2 All of the preceding Rules except Rules 2-4, 6, 8-10, 12.2-12.3, 14, 17, 19, 20 and 21 apply to meetings of committees and sub-committees. Rules 23 – 25 shall apply only to meetings of committees and sub-committees.

23. Election of Chairmen and Vice-Chairmen of Committees

23.1 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. If both the Chairman and Vice-Chairman are absent from a meeting of that Committee during the municipal year, the Committee may elect a member to chair that particular meeting.

23.2 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.

23.3 Where possible the Chairman of the Overview and Scrutiny Board and the Chairman of the Audit, Standards and Governance Committee shall not be a member of a political group represented in Cabinet.

24. Extraordinary Meetings of Committees

24.1 The Chairman of a committee or the Chairman of the Council may summon an extraordinary meeting of the committee at any time.

24.2 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.

25. Appointment of Substitute Members of Committees and Sub-Committees

25.1 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 *from the pool of substitute members for that Committee or sub-committee,* to attend the meeting as his/her substitute. Members may not arrange for substitutes to attend in their place at Cabinet.

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

25.3 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.

26. 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.