

# Council Procedure Rules

## 1. Introduction

- (a) The Council has adopted certain rules of debate and procedure for the conduct of meetings of the full Council (“the Council Procedure Rules”). Some of these rules apply to meetings of the Authority’s Committees and Panels.
- (b) These rules of debate and Procedure have been drafted so that they:-
- accord with the law (Schedule 12 of the Local Government Act 1972 and certain requirements of the Local Authorities (Standing Orders) Regulations 1993)
  - reflect the new roles which meetings of the full Council are intended to fulfill and
  - are written in plain English.
- (c) The Council Procedure Rules do not apply to meetings of the Cabinet. Meetings of the Cabinet are regulated by the *Cabinet* Procedure Rules.
- (d) The requirements of the Local Authorities (Standing Orders) Regulations 1993 relating to the appointment of Chief Officers; disciplinary action and dismissal; provisions extending the protection from dismissal of the Head of Paid Service to the Monitoring Officer and Chief Finance Officer; the appointment and allocation of Political Assistants; other proposed provisions regarding Member involvement in the appointment of Officers and provisions requiring the agreement of the Cabinet to the arrangements for and appointment of Chief Officers by Members are contained within the Employee Employment Procedure Rules.
- (e) Provisions giving the Council the ability to amend the budget/MTFP or policy framework to encompass an executive decision or to require the executive decision taker to reconsider the matter; **and provisions giving** the Cabinet five working days to object where the full Council wishes to modify the budget or policy framework recommended to it and permitting the full Council to have the final determination regarding such matters, by a simple majority are contained **respectively** within the **Executive** Scrutiny and Select Committee Procedure Rules and **within** the Budget, Policy and Financial Procedure Rules.
- (f) Rules relating to tenders and contracts are contained within the Contracts Procedures Rules.

## **2. Declaration of Interests**

Each agenda for a meeting of the full Council, the Cabinet and the Council's Committees, Sub-Committees or Panels contains a specific item requiring declaration of Members' interests in items contained within the agenda at the outset of the meeting before the principal business is conducted. Members are also at liberty to declare interests at any point throughout the meeting before the items to which the interests relate are discussed.

## **3. Council Procedure Rules**

The text that follows comprises the Council's Procedure Rules.

# 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 March, April or May.

The Annual Meeting will:

- i. elect a person to preside if the outgoing Mayor is not present
- ii. elect the incoming Mayor of the Council
- iii. elect the Deputy Mayor of the Council
- iv. receive any announcements from the Mayor and/or Head of the Paid Service
- v. elect the Leader of the Council
- vi. agree the number of Members to be appointed to the Cabinet and appoint the Deputy Leader and Members of the Cabinet .
- vii. appoint at least one scrutiny committee, a Standards Committee and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions (as set out in Part 3, Table 1 of the Constitution)
- viii. 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 Table 3 of the Constitution)
- ix. approve a programme of ordinary meetings of the Council for the year and
- x. 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 meeting will:

- i. decide which committees to establish for the Municipal Year
- ii. decide the size and terms of reference for those committees
- iii. decide the allocation of seats and substitutes to political groups in accordance with the political balance rules

- iv. receive nominations of Councillors to serve on each committee and, where appropriate, outside body and
- v. appoint to those committees and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet.

### 1.3 Chairmen and Vice-Chairmen

Each Committee shall be appointed and each Chairman and Vice-Chairman shall be elected annually by the Council at the Annual Meeting, save and except that some or all of the Committees, Chairmen and Vice-Chairmen may be appointed and elected at an ordinary or extraordinary meeting of the Council where the purpose of the meeting is to introduce new or to amend existing executive decision making arrangements. In any other case, if a Committee is appointed at a Council meeting other than the Annual Meeting the election of the Chairman and Vice-Chairman will take place as soon as possible after the Council meeting.

## 2. ORDINARY MEETINGS

- 2.1 Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's Annual Meeting. Ordinary meetings will:
- i. elect a person to preside if the Mayor and Deputy Mayor are not present
  - ii. deal with any business which the Council, by law, must deal with before any other business
  - iii. receive deputations to the Council, if the meeting agrees, in the form of the presentation of a petition provided that the Proper Officer has received 8 prior working days notice of the proposed deputation
  - iv. approve, and the Mayor, Deputy Mayor or other person elected to preside will sign, the minutes of the last meeting. If an ordinary meeting is followed by an extraordinary meeting, the minutes shall be signed at the next ordinary Council meeting
  - v. receive any declarations of interest from Members
  - vi. receive any announcements from the Mayor, Leader, Members of the Cabinet or the Head of Paid Service

- vii. in accordance with Rule 10 receive questions from, and provide answers to, the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting, or in the opinion of the Proper Officer are about a matter for which the Council has responsibility or which affects the Borough
- viii. in accordance with Rule 11 deal with questions from Members of the Council in relation to matters over which the Council has powers or duties or which affect the geographical area of the Council, and in respect of the discharge of the functions of the Police Authority
- ix. deal with any business from the last Council meeting
- x. receive and consider reports, minutes and recommendations from the Cabinet, including reports on the Cabinet's Forward Plans, and from the Council's committees and receive questions and answers on any of those reports
- xi. receive and consider reports from Officers, or others with a legal responsibility to report to the Council, including reports about and receive questions and answers on the business of joint arrangements and external organisations
- xii. consider motions and
- xiii. consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's budget and policy framework and reports of the Select Committees for debate.

## **2.2 Changing the Order of Business**

Items under items 2(i), (ii), (iii) or (iv) of this Rule shall be taken in the order stated but the Mayor may vary the order of items 2(v) to 2(xiii). The Council meeting may also vary the order of business by passing a motion which has been moved and seconded immediately after any item of business has been completed. The motion to vary the order of business shall not be discussed.

## **3. EXTRAORDINARY MEETINGS**

### **3.1 Calling Extraordinary Meetings**

Those listed below may request the Proper Officer to call Council meetings in addition to ordinary meetings:

- i. the Council by resolution
- ii. the Mayor

- iii. the Monitoring Officer and
- iv. any five Members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

#### **4. CHAIRMAN OF MEETING**

A Councillor chairing any Council meeting may exercise the same powers and duties as the Mayor.

#### **5. PROPER OFFICER OF THE COUNCIL**

The Proper Officer of the Council means the Director of Law and Democracy unless the Council agree that another person may take his place.

#### **6. APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES, SUB COMMITTEES AND PANELS**

##### **6.1 Allocation**

As well as allocating seats on the **Executive** Scrutiny Committee, Select Committees, Sub Committees and Panels, any Member of the Council (except a Cabinet Member) will be permitted to act as substitute on those Committees, Sub Committees and Panels for any other Member.

6.2 In accordance with Rule 6.1 above, and subject to Rule 6.3 below, the Proper Officer of the Council may consider the request for a Member of any Committee, Sub Committee or Panel as well as for a Member of any Joint Committee or other outside body (subject to the outside body's constitution), to appoint a substitute Member.

6.3 In order to be eligible to sit as representatives on regulatory or quasi-judicial committees or panels established by the Council, Members must have received formal training in relevant procedures and law either within the preceding twelve months or within their first year of service on the regulatory or quasi-judicial committee or panel concerned and thereafter on an annual basis.

##### **6.4 Powers and Duties**

Substitute Members will have all the powers and duties of any ordinary Member of the Committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

##### **6.5 Substitution**

Substitute Members may attend meetings in that capacity only:

- i. to take the place of the ordinary Member for whom they are the designated substitute;
- ii. where the ordinary Member will be absent for the whole of the meeting; and
- iii. after notifying the Proper Officer prior to or on the day of the meeting of the intended substitution.

## **7. TIME AND PLACE OF MEETINGS**

The time and place of meetings will be determined by the Proper Officer and notified in the summons.

## **8. NOTICE OF AND SUMMONS TO MEETINGS**

The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a meeting, the Proper Officer will send a summons signed by him or her 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.

## **9. QUORUM**

The quorum of a meeting of the Council will be one quarter of the whole number of Members. The quorum for the **Executive** Scrutiny Committee and Select Committees will be one third of their respective memberships. The quorum for all other Committees or Panels shall also be one third of their respective memberships. During any meeting if the Mayor or 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 Mayor or Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

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

### **10.1 General**

Members of the public may ask questions of Members of the Cabinet at ordinary (but not at special or Extraordinary) meetings of the Council, subject to the following Rules, and the discretion of the Mayor as to the total number of questions which may be asked and the length of time which is to be allowed for questions at each meeting.



## 10.2 Order of Questions

Questions will be asked in the order notice of them was received, except that the Mayor may group together similar questions.

## 10.3 Notice of Questions

A question **must be in the form of a question, and not a statement, and it** may only be asked if notice has been given by delivering it in writing or by electronic mail to the Proper Officer at least five clear working days before the day of the meeting, unless the Mayor exercises his/her discretion and agrees with the consent of the Member or Members to whom the question or questions are to be put that a question or questions may be asked without the required period of notice or any notice at all having been given. Each question must give the name and address of the questioner and must name the Member (or Members, where appropriate) of the Council to whom it is to be put. **Information or background documents supplementary to a question will not be permitted to be submitted with, or circulated as part of a question to be asked at a meeting**

## 10.4 Number of Questions

At any one meeting no person may submit more than two questions and no more than two such questions may be asked on behalf of one organisation.

## 10.5 Scope of Questions

The Proper Officer may reject a question if it:

- is not about a matter for which the local authority has a responsibility or which affects the Borough;
- is defamatory **(or potentially so)**, or is frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- involves the disclosure of, or relates to confidential or exempt information or matters, including employee appointments, dismissals, pay, superannuation, complaints, grievances, or other personnel matters, **or confidential matters, complaints, grievances or other such related matters regarding a Member or Members.**

## 10.6 Record of Questions

The Proper Officer will enter each question in a book open to public inspection (other than where in the opinion of the Proper Officer a question should not be so included eg where it has been rejected because it is considered to be defamatory or offensive) and will immediately send a copy of the question to the Member (or Members) to whom it is to be put, the relevant Ward Councillors and to the Leader of each Political Group. Rejected questions will include reasons for rejection. Copies of all questions, including those rejected

together with the reasons for their rejection, will be circulated to all Members and will be made available to the public attending the meeting (other than where in the opinion of the Proper Officer a question should not be so circulated and/or made available eg where it has been rejected because it is considered to be defamatory (or potentially so) or offensive).

#### 10.7 **Asking the Question at the Meeting**

The Mayor will invite the questioner to put the question to the Member named in the notice. This will not preclude another Member from responding to the question when it is considered appropriate to do so. If a questioner who has submitted a written question is unable to be present, they may ask a representative or the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, or indicate that a written reply will be given or decide, in the absence of the questioner and the questioner's representative, that the question will not be dealt with.

#### 10.8 **Supplementary Question**

A questioner who has put a question in person, or a representative of a questioner asking a question on the questioner's behalf, may also put one supplementary question, without notice, to the Member who has replied to his or her original question. A supplementary question must arise directly out of, and be specifically related to the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Rule 10.5.

#### 10.9 **Written Answers**

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Member to whom it was to be put or for any other reasons, will be dealt with by a written answer.

#### 10.10 **Referral of Question to Cabinet or a Committee**

Unless the Mayor decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Cabinet or the appropriate Committee or Panel. Once seconded, such a motion will be voted on without discussion.

### 11. **QUESTIONS BY MEMBERS**

#### 11.1 **On Reports to the Cabinet or Committees**

A Member of the Council may ask the Leader, appropriate Member of the Cabinet or a Chairman of a Committee any question without notice upon an item of a report or minutes of the Cabinet or a Committee when that item or minutes are being received or under consideration by the Council.

## 11.2 Questions on Notice at Full Council

Subject to Rule 11.4, a Member of the Council may ask:

- the Mayor;
- a Member of the Cabinet; or
- the Chairman of any Committee or Panel

a question on any matter in relation to which the Council has powers or duties or which affects the geographical area of the Council.

## 11.3 Questions on the Discharge of the Functions of the Police Authority

Subject to Rule 11.4 a Member of the Council may ask the Council's nominated police authority representatives any question on the discharge of the functions of the Police Authority.

## 11.4 Notice of Questions

A Member may only ask a question under Rule 11.2 and 11.3 if either:

- (a) where they have given at least two clear working days notice in writing of the question to the Proper Officer; or
- (b) the question relates to urgent matters, they have the consent of the Mayor and of the Member or Members to whom the question is to be put, and the content of the question is given to the Proper Officer by no later than 10.00 am on the day of the meeting.

## 11.5 Scope of Questions

The Proper Officer may reject a question if it:-

- is defamatory (or potentially so), or is frivolous or offensive
- is substantially the same question which has been put at a meeting of the Council in the past six months; or
- involves the disclosure of, or relates to confidential or exempt information or matters, including employee appointments, dismissals, pay, superannuation, complaints, grievances, or other personnel matters, or confidential matters, complaints, grievances or other such related matters regarding a Member or Members.

## 11.6 Response

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.

### 11.7 **Supplementary Question**

A Member asking a question under Rule 11.2 or 11.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplementary question must arise directly out of, and be specifically related to the original question or the reply.

### 11.8 **Time Allowed for Questions**

Unless the Mayor allows an extension of time, the time given for questions from the Public under Rule 10 and from Members under Rule 11, shall not exceed 30 minutes in each case. Questions from Members under Rule 11 which cannot be dealt with either because of lack of time or because of the non-attendance of the Member to whom they were to be put, will be referred to the next ordinary Council meeting.

## 12. **MOTIONS ON NOTICE**

### 12.1 **Notice**

Except for motions which can be moved without notice under Rule 13, written notice of every motion, signed by a Member or Members, must be delivered to the Proper Officer at least five clear working days before the date of the meeting. These will be dated, numbered in the order received and entered in a book open to public inspection.

### 12.2 **Motion set out in Agenda**

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the Member or Members giving notice state, in writing, that he/she or they propose to move it to a later meeting or withdraw it. If a motion is not moved either by the Member who gave notice or by another Member, it will be treated as withdrawn and shall not be moved again without a new notice being given.

### 12.3 **Scope**

Motions must be about matters for which the Council has a responsibility or which affect the geographical area of the Council. A motion will be automatically referred to the Cabinet or a Committee if its subject matter comes within the terms of reference of the Cabinet or Committee, unless the Mayor allows the motion to be considered at the Council Meeting. When a motion has been discussed by a Council Meeting, no other motion, which is

the same or similar, will be considered within six months, unless the notice of motion is signed by at least six Members.

### 13. **MOTIONS WITHOUT NOTICE**

The following 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 the Cabinet, Committees or Officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to extend the time limit for speeches;
- (j) to proceed to the next business;
- (k) that the question be now put;
- (l) to adjourn a debate;
- (m) to adjourn a meeting;
- (n) to suspend a particular Council procedure standing order;
- (o) to exclude the public and press in accordance with the Access to Information Rules;
- (p) to not hear further a Member named under Rule 20.3 or to exclude them from the meeting under Rule 20.4;
- (q) to give the consent of the Council where its consent is required by the Constitution; and
- (r) to authorise the sealing of documents.

## **14. RULES OF DEBATE**

### **14.1 No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

### **14.2 Right to require motion in writing**

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him/her before it is discussed.

### **14.3 Secunder's Speech**

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

14.4 Members wishing to speak shall stand and the Mayor will ask one to speak. Other Members will then sit down. Members will stand and address the Mayor when speaking. Unless raising points of order or making personal explanations Members will remain seated while another is speaking.

### **14.5 Content and length of speeches**

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 10 minutes in the case of the mover of a motion or amendment or 5 minutes in any other case, without the consent of the Mayor.

### **14.6 When a Member may speak again**

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) to speak once on an amendment moved by another Member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) 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);
- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.

#### 14.7 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;
  - (ii) to leave out words;
  - (iii) to leave out words and insert or add others; or
  - (iv) to insert or add wordsas 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 motion as amended 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 Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.
- (f) If an amendment is carried:
  - (i) which refers an item to the Cabinet or a Committee for consideration or reconsideration; or
  - (ii) not confirming any part of the Minutes of the Cabinet or a Committee

no further amendments shall be moved on the subject.

#### 14.8 Alteration of Motion

- (a) A Member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

- (c) Only alterations which could be made as an amendment may be made.

#### **14.9 Withdrawal of motion**

A Member may withdraw a motion which he/she has moved with notice with the consent of the meeting and a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

#### **14.10 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 original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.
- (d) The content of a right of reply must not relate to any new matter.

#### **14.11 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;
- (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 20.3 or to exclude him/her from the meeting under Rule 20.4



#### 14.12 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;
  - (iii) to adjourn a debate; or
  - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Mayor 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 is seconded and the Mayor 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 Mayor 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.

#### 14.13 Point of Order

A Member may raise a point of order at any time. The Mayor will hear them 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 of Procedure or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

#### 14.3 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 which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

## **15. PREVIOUS DECISIONS AND MOTIONS**

### **15.1 Motion to rescind a previous decision**

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion referring to the decision is signed by at least six Members.

## **16 VOTING**

### **16.1 Majority**

Unless the Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting (for or against the matter) and present in the room at the time the question was put.

### **16.2 Mayor's casting vote**

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

### **16.3 Show of Hands**

Unless a recorded vote is demanded under Rule 16.4, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

### **16.4 Recorded vote**

The vote will take place by roll call of the Members present at the meeting if a Member asks for a recorded vote and before the vote is taken the Mayor determines that the request is supported by at least a quarter of the Members present, who must signify that support by standing. The Proper Officer of the Council shall take the vote by calling the names of members and recording whether they voted for or against the motion or did not vote.

### **16.5 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 motion or abstained from voting.

### **16.6 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.

## **17. MINUTES**

### **17.1 Signing the Minutes**

The Mayor will sign the minutes of the proceedings of the meeting at the next suitable meeting. The Mayor will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy. Any question of accuracy should be raised by a motion. The Mayor shall sign the minutes as a correct record if no questions are raised on them or when such questions have been dealt with.

### **17.2 No requirement to sign minutes of previous meeting at extraordinary meeting**

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.

### **17.3 Form of Minutes**

Minutes will contain all motions and amendments in the exact form and order the Mayor put them.

## **18. RECORD OF ATTENDANCE**

All Members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

## **19. EXCLUSION OF THE PUBLIC**

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of the Constitution or Rule 21 (Disturbance by Public).

## **20. MEMBERS' CONDUCT**

### **20.1 Standing to speak**

When a Member speaks at full Council he/she must stand and address the meeting through the Mayor. If more than one Member stands, the Mayor 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.

## **20.2 Mayor standing**

When the Mayor stands during a debate, any Member speaking at the time must stop and sit down. The meeting must be silent.

## **20.3 Member not to be heard further**

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

## **20.4 Member to leave the meeting**

If the Member continues to behave improperly after such a motion is carried, the Mayor 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.

## **20.5 General disturbance**

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

## **21. DISTURBANCE BY PUBLIC**

### **21.1 Removal of member of the public**

If a member of the public interrupts proceedings, the Mayor will warn the person concerned. If they continue to interrupt, the Mayor will order their removal from the meeting room.

### **21.2 Clearance of part of meeting room**

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

## **22. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES**

### **22.1 Suspension**

All of these Council Rules of Procedure except Rules 16.4 and 17.2 may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting.

## 22.2 **Amendment**

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.

## 23. **APPLICATION TO COMMITTEES, SUB-COMMITTEES AND PANELS**

All of these Council Rules of Procedure apply to meetings of full Council. None of the rules apply to meetings of the Cabinet. Only Rules 6-9, 11-14, 15-17, 19-23 (but not Rule 20.1) apply to meetings of committees, sub-committees and panels.