

Council Standing Orders

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1. Annual Meeting of the Council

1.1 Timing and business

- (a) 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.
- (b) The annual meeting will:
- (i) elect a person to preside if the Chairman of Council is not present;
 - (ii) elect the Chairman of Council;
 - (iii) elect the Vice-Chairman of Council;
 - (iv) approve the minutes of the last meeting;
 - (v) in a year when there is an ordinary election of councillors, receive the Returning Officer's Return of councillors elected.
 - (vi) receive any announcements from the Chairman and / or Head of Paid Service;
 - (vii) upon the expiry of the Leader's normal term of office as Leader, elect the Leader including, where available, notification by the Leader of the number of members he / she is appointing to the Executive (Cabinet), their names and their portfolios, and the Leader's Scheme of Delegation of Executive Functions;
 - (viii) appoint up to four substitute members per committee from each political group in a hierarchical list to all committees and sub-committees other than the Standards Committee;
 - (ix) appoint at least one scrutiny and overview committee, a Standards Committee, the Licensing Committee (2003 Act) 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 of this Constitution);
 - (x) 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);
 - (xi) 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, in accordance with Standing Order 10 below;
 - (xii) receive reports and recommendations from the Executive and the Council's committees and receive questions and answers on any of those reports;
 - (xiii) receive the Leader of the Major Opposition Group's written Annual Report Statement on his/her Group's priorities for action and objectives for the forthcoming municipal year;
 - (xiv) consider any business set out in the notice convening the meeting including consideration of proposals from the Executive in relation to the Council's budget and policy framework and reports of the Scrutiny and Overview Committee for debate;
and
 - (xv) receive questions from, and provide answers to, members in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting, in accordance with Standing Order 11 below; and
 - (xvi) note the record of members' attendance at meetings of committees, sub-committees and other bodies during the previous municipal year.

1.2 Selection of Councillors on Committees and Outside Bodies

- (a) 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 with the exception of the Licensing Committee (2003 Act);
 - (iii) decide the number and allocation of seats and substitutes to political groups in accordance with the political balance rules set out in Part 5, Section A;
 - (iv) receive nominations of councillors to serve on each committee and 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 Executive.

- (b) Executive Members shall be entitled to sit on the following committees as *ex officio* members:
- Employment Committee: Executive Member with responsibility for staffing matters;
 - Licensing Committee, Licensing Committee (2003 Act), Licensing Committee (2005 Gambling Act): Executive Member with responsibility for licensing matters;
 - Planning Committee: Executive Member with responsibility for development control matters.
- (c) Executive Members shall not be entitled to sit on the following committees:
- Corporate Governance Committee;
 - Electoral Arrangements Committee;
 - Scrutiny and Overview Committee;
 - Any other scrutiny and overview committee.

2. Ordinary Meetings

2.1 Agenda for Ordinary Meetings

Ordinary meetings of the Council will take place in accordance with a programme agreed by Council. Ordinary meetings will:

- (i) elect a person to preside if the Chairman and Vice-Chairman are not present;
- (ii) approve the minutes of the last meeting;
- (iii) receive any declarations of interest from members;
- (iv) elect the Leader of the Council, in the event that the position becomes vacant during the Civic Year including, where available, notification by the Leader of the number of members he / she is appointing to the Executive (Cabinet), their names and their portfolios, and the Leader's Scheme of Delegation of Executive Functions;
- (v) appoint members to committees and outside bodies where vacancies have arisen, except where appointment to outside bodies has been delegated by the Council or is exercisable only by the Executive;
- (vi) receive any announcements from the Chairman, Leader, the Executive or the Head of Paid Service;
- (vii) 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, in accordance with Standing Order 10 below;
- (viii) deal with any business from the last Council meeting;
- (ix) receive reports and recommendations from the Executive and the Council's committees and receive questions and answers on any of those reports;
- (x) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (xi) consider motions;
- (xii) consider any other business specified in the summons to the meeting, including consideration of proposals from the Executive in relation to the Council's budget and policy framework and reports of the Scrutiny and Overview Committee for debate; and
- (xiii) receive questions from, and provide answers to, members in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting, in accordance with Standing Order 11 below.

2.2 Removal of a Member from a Council Committee or Sub-Committee

The Council reserves the right to remove any councillor from a Council committee or sub-committee if it considers that it is no longer in the best interests of the Council for that member to remain. Written notice of motion, giving reasons, signed by five members of the relevant parent committee must be delivered to the proper officer not later than 7 working days before the date of the council meeting. Any such motion shall be carried only if at least two thirds of the members present at the meeting are in favour.

3. Extraordinary Meetings

3.1 Calling extraordinary meetings

- (a) Those listed below may request the proper officer¹ to call Council meetings in addition to ordinary meetings:
- (i) the Council by simple majority;
 - (ii) the Chairman of the Council;
 - (iii) the Monitoring Officer; and
 - (iv) any five members of the Council if they have signed a requisition presented to the Chairman of the Council 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.
- (b) The request shall state the subject for which the meeting is called.

3.2 Business

An extraordinary meeting shall not consider previous minutes, reports from committees or any other matter than the subject for which that meeting is called.

4. Appointment of Substitute Members of Committees, Sub-Committees and Outside or Joint Bodies

4.1 Allocation

- (a) Substitutes will be allowed on committees and sub-committees, and Council may allocate seats for substitute members on outside or joint bodies, where those bodies allow. The substitute must be a member of the same political group as the member for whom they are substituting. Substitute members will be appointed in a hierarchical list by Council at its Annual Meeting.

- (b) Executive Members shall be allowed to substitute on all committees other than the Scrutiny and Overview Committee or any other scrutiny and overview committee.

4.2 Powers and duties

Substitute members will have the powers and duties of any ordinary member of the committee or sub-committee, outside or joint body (where those bodies allow) but will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting. These powers and duties will only be available to the substitute members from the start until the close of the meeting at which they are substituting.

4.3 Substitution

Substitute members may attend meetings in that capacity only:

- (i) to take the place of the ordinary member for whom they are the substitute;
- (ii) where the ordinary member will be absent for the whole of the meeting, and;
- (iii) after notifying Democratic Services before the start of the meeting of the intended substitution.

4.4 Substitution at meetings of Planning Committee and Licensing Committee

Members acting as substitutes at meetings of the Planning Committee, and Licensing Committee when determining applications, shall be subject to the same requirement to have undertaken suitable training as ordinary members of those committees.

5. Times and Places of Meetings

The times and places of meetings will be determined by the proper officer and notified in the summons.

1 In all the Part 4 Rules relating to Committee, executive and Council administration, reference to the 'proper officer' shall mean the Chief Executive or such suitably experienced senior officer, as the Chief Executive shall appoint.

6. 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 days before a meeting, the Chief Executive will send a summons by e-mail and / or post to each member of the Council, or leave it, at his or her last known address or, if notified in writing to the proper officer, his or her preferred address. 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.

7. Chairman of Meeting

7.1 The person presiding at the meeting may exercise any power or duty of the Chairman, except where there is equality of votes on an appointment, in which case the provisions of Standing Order 16.7 below shall be followed. Where these Standing Orders apply to committee or sub-committee meetings, references to the Chairman also include the Chairman of committees and sub-committees.

7.2 The Chairman of the Council shall preside over the election of Chairmen of Committees and Sub-Committees of the Council. Where the Chairman of Council is not present, the Chief Executive or an officer nominated by him or her may preside at the election of the Chairman but shall not be entitled to vote. In the event of a tie, the provisions of Standing Order 16.7 below shall be followed

7.3 The Chairman of the Council shall be elected from among the councillors as the first business transacted at the Annual Council Meeting. Where the Chairman of Council is retiring, he / she should preside over the election of his / her successor. Where it is expected that he / she is to continue for a second year, the Chief Executive should preside, and the Chairman should leave the room for the duration of the election.

7.4 In all cases, nominees for the Chairmanship shall leave the room prior to voting on the Chairmanship.

8. Quorum

8.1 The quorum of a meeting will be one quarter of the whole number of members of the Council or the relevant body of the Council, or three, whichever is the greater, unless this Constitution otherwise provides. 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.

8.2 If there is no quorum at the published start time for the meeting, a period of ten minutes will be allowed, or longer, at the Chairman's discretion. If there remains no quorum at the expiry of this period, the meeting will be declared null and void.

8.3 The Chief Executive is authorised to cancel a meeting before the agenda has been published, following consultation with the Chairman.

8.4 Where, in exceptional circumstances, it is necessary to cancel a meeting after the agenda has been published, the Chief Executive shall be authorised to do so following consultation with the Chairman of the body concerned. The notice advising of the cancellation shall specify the exceptional circumstances in which the decision was taken. Outstanding business shall be held over to the next scheduled meeting or considered at a reconvened meeting on a date to be arranged which satisfies the notice requirements set out in the Local Government Act 1972 and Access to Information Rule 4.

9. Duration of Meetings

Unless three-quarters of members present vote for the meeting to continue, any meeting that has lasted for four hours, excluding adjournments 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.

10. Questions by the Public

10.1 General

At the discretion of the Chairman, members of the public may ask questions of any member at ordinary meetings of the Council. This standard protocol is to be observed by questioners:

- (a) Questioners will not be permitted to raise the competence or performance of a councillor or officer, nor any matter involving exempt information or normally considered 'confidential'. Questioners cannot make any abusive or defamatory comments.
- (b) Each questioner must make it clear whether he or she is speaking as a private individual or as a representative of an organisation.
- (c) If any clarification of what the questioner has said is required, the Chairman will have the discretion to allow councillors to ask questions.
- (d) The questioner will not be permitted to participate in any subsequent discussion and will not be entitled to vote.
- (e) The Chairman will decide when and what time will be set aside for questions depending on the amount of business on the agenda for the meeting. Normally questions will be dealt with as the first substantive item of the meeting. A maximum of ten minutes will be allowed for public questions on any specific agenda item.
- (f) Individual questioners will be permitted to speak for a maximum of three minutes.

10.2 Order of questions

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

10.3 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the proper officer no later than midday seven working days before the day of the meeting. The proper officer shall acknowledge the receipt of each question in writing. Each question must give the name and address of the questioner. The Chairman may permit a question to be asked if shorter notice is given. If a substantive answer cannot be given at the meeting, the Chairman may refer the question to any other body of the Council or for a written response within five working days by the member or by the relevant Chief Officer.

10.4 Number of questions

At any one meeting no person may submit more than one question but one supplementary question may also be asked at the meeting. More than one question shall not be submitted on behalf of any organisation.

10.5 Scope of questions

The Chairman, having regard to the advice of 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 district;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at the meeting or a meeting of the Council in the past six months;
- raises issues about the competence or performance of a councillor or officer;
- requires the disclosure of confidential or exempt information; or
- relates to a planning application which has yet to be determined.

The Chairman shall have the discretion to limit the length of preamble or other background information supplied with the question.

10.6 Record of questions

The proper officer will keep a record of submitted questions open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection.

10.7 Asking the question at the meeting

The Chairman will invite the questioner to put the question. If a questioner who has submitted a written question is unable to be present, they may ask the Chairman to put the question on their behalf or appoint a representative to do so. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given within five working days or decide, in the absence of the questioner, that the question will not be dealt with.

10.8 Supplementary question

A questioner who has put a question in person 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 the original question or the reply. The Chairman may reject a supplementary question on any of the grounds in Standing Order 10.5 above.

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, will be dealt with by a written answer. Written answers shall be circulated to the questioner within five working days of the meeting and shall be included as an appendix to the minutes.

10.10 Reference of question to the Executive or a committee

Discussion can take place on a question only if the Chairman agrees. However, any member may move, in accordance with Standing Order 13(d) that a matter raised by a question be referred to the Executive or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

10.11 Public participation at Planning Committee

Members of the public shall be entitled to address the Planning Committee in accordance with a scheme agreed by Council which may be amended by the committee from time to time.

11. Questions by Members

11.1 On reports of the Executive or committees

A member of the Council may ask the Leader, portfolio holder or the Chairman of a committee any question without notice upon an item of the report of the Executive or a committee when that item is being received or under consideration by the Council.

11.2 Questions on notice at full Council

Subject to Standing Order 11.4, a member of the Council may ask:

- the Chairman;
- the Leader, who may respond on behalf of the Cabinet or who may appoint a member of the Executive to respond; ~~or~~
- the Chairman of any committee or sub-committee; or
- any group leader or deputy leader representing any political group on Council which has been constituted for the purposes of the Local Government and Housing Act 1989.

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

11.3 Questions on notice at committees and sub-committees

Subject to Standing Order 11.4, a member of a committee or sub-committee may ask the Chairman of it a question on any matter in relation to which the Council has powers or duties or which affect the district and which falls within the terms of reference of that committee or sub-committee.

11.4 Notice of questions

A member may only ask a question under Standing Order 11.2 or 11.3 if either:

- (a) they have given to the proper officer at least seven working days' notice in writing of the question; or
- (b) the question relates to urgent matters, they have the consent of the Chairman of Council and member to whom the question is to be put and the content of the question is given to the proper officer by 9.30 a.m. on the day of the meeting.

11.5 Order of questions

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

11.6 Scope of questions

The Chairman, having regard to the advice of 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 district;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at the meeting or a meeting of the Council in the past six months;
- raises issues about the competence or performance of a councillor or officer;
- requires the disclosure of confidential or exempt information; or
- relates to a planning application which has yet to be determined.

The Chairman shall have the discretion to limit the length of preamble or other background information supplied with the question.

11.7 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 response which will be circulated within five working days to the questioner and included as an appendix to the minutes.

11.8 Supplementary question

A member asking a question under Standing Order 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 the original question or the reply. It may be rejected by the Chairman on any of the grounds set out in Standing Order 11.6 above.

12. Notice of Motions

12.1 Notice

- (a) Except for motions which can be moved without notice under Standing Order 13 and any motion to remove the Leader from office as Leader or the members of the Executive from office collectively, written notice of every motion, signed by a councillor, must be delivered to the proper officer not later than ~~six~~seven working days before the date of the meeting. E-signatures shall be acceptable for the purposes of this rule.

- (b) In the case of any motion for the removal of the Leader from office as Leader, the removal of any individual member of the Executive or the removal of the members of the Executive from office collectively, written notice signed by at least one quarter of the councillors must be delivered to the proper officer not later than ~~six~~ seven working days before the date of the meeting. Motions under this provision may not be submitted electronically. Any such motion shall be carried by simple majority of the members present and voting at the meeting.
- (c) In the case of any motion for the removal of the Leader from office as Leader being passed, the Council shall elect a new Leader at the same meeting, or at a subsequent meeting. In the case of any motion for the removal of the members of the Executive from office collectively, the Council shall elect a new Leader immediately.
- (d) A record of notices of motion will be open to public inspection.
- (e) Only one Motion may be submitted per member per meeting.

12.2 The Chairman of the Council shall have discretion to determine the number of notices of motion accepted for debate at any one meeting of Council. He / she shall also have discretion to ask Council whether it wishes to consider a particular Motion. In this event, consent of three-quarters of the members present and voting shall be required to prevent a Motion being further considered. If the Motion has yet to be proposed, Council shall proceed to the next business. If the Motion has been proposed and seconded, the question shall be put immediately.

12.3 Motion set out in agenda

Motions for which notice has been given and accepted by the Chairman will be listed on the agenda in the order which notice was received, unless the councillor giving notice states, in writing, that he or she proposes to move it to a later meeting or withdraw it. Subject to a written proposal by the councillor to move it at a later meeting, any motion not moved at the relevant meeting shall be deemed to be withdrawn.

12.4 Scope

Motions must be about matters for which the Council has a responsibility or which affect the district.

The Chairman, having regard to the advice of the proper officer may reject a Motion if it:

- is not about a matter for which the local authority has a responsibility or which affects the district;
- is defamatory, frivolous or offensive;
- is substantially the same as a Motion which has been put at the meeting or a meeting of the Council in the past six months;
- requires the disclosure of confidential or exempt information; or
- would, if carried, commit the Council to a course or courses of action contrary to agreed processes or outside its authority to act.

12.5 Time limit

A maximum period of thirty minutes shall be allowed for each Motion to be moved, seconded and debated, including dealing with any amendments. At the expiry of the thirty-minute period, debate shall cease immediately, the mover of the original Motion will have the right of reply before the Motion or amendment is put to the vote.

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. If passed, the matter shall stand immediately deferred and shall not be further considered at the meeting;
- (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 Executive, committees or officers and any resolutions following from them. Such recommendations shall be moved and seconded prior to any debate, in accordance with Standing Order 14.1 below;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) Closure Motions in accordance with Standing Order 14.11;
- (j) that the meeting continue beyond 4 hours in duration;
- (k) to suspend a particular council procedure Standing Order;
- (l) to exclude the public and press in accordance with the Access to Information Rules;
- (m) to not hear further a member named under Standing Order 20.3 or to exclude them from the meeting under Standing Order 20.4; and
- (n) to give the consent of the Council where its consent is required by this Constitution.

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 Chairman 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 their speech until later in the debate.

14.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No proposer's speech may exceed five minutes, nor any other speech exceed three minutes, without the consent of the Chairman.

14.5 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 in accordance with Standing Order 14.9;
- (e) on a point of order;
- (f) at the Chairman's discretion, to raise a point of information;
- (g) by way of personal explanation; or
- (h) to move a Motion under Standing Order 14.10 (Motions which may be moved during debate).

14.6 Amendments to motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to leave out words;

- (ii) to leave out words and insert or add others; or
 - (iii) to insert or add words.
- as long as the effect of (ii) or (iv) is not to negate the motion.

- (b) The Chairman may request the mover and seconder of the original Motion to indicate whether they are prepared to accept the amendment through its incorporation into their Motion. If they are willing to do so, and the mover of the amendment gives consent, the original Motion will stand altered accordingly, the amendment shall be deemed withdrawn and debate proceed on the original Motion, as altered. If they are not willing to do so, consideration of the amendment shall proceed in accordance with the normal rules of debate.
- (c) Normally, 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. Exceptionally, the Chairman may allow, after notice of proposal, concurrent discussion of a subsequent amendment before both are disposed of in whatever order the Chairman thinks fit if it appears to the Chairman that this course would facilitate the proper conduct of the Council's business.
- (d) If an amendment is not carried, other amendments to the original motion may be moved.
- (e) 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.
- (f) 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.

14.7 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.

14.8 Withdrawal of motion

A member may withdraw a motion which he / she has submitted or moved 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. In accordance with Standing Order 12.3, any motion not moved at the relevant meeting shall be deemed to be withdrawn.

14.9 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 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.

14.10 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) Closure Motions in accordance with Standing Order 14.11
- (d) that the meeting continue beyond four hours in duration;
- (e) to exclude the public and press in accordance with the Access to Information Rules;
- (f) to not hear further a member named under Standing Order 20.3 or to exclude them from the meeting under Standing Order 20.4; or
- (g) to refer something to an appropriate body or individual in accordance with Standing Order 13(d) above.

14.11 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;
 - (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 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, or if the meeting has previously resolved to continue beyond four hours' duration in accordance with Standing Order 9, he / she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

14.12 Point of order

A member may raise a point of order at any time. The Chairman will hear it immediately. A point of order may only relate to an alleged breach of these Council Standing Orders or the law. The member must indicate the Standing Order or law and the way in which he / she considers it has been broken. The ruling of the Chairman on the admissibility of a Point of Order will be final.

14.13 Point of information

A member may ask to raise a point of information at any time, but will be permitted to speak only at the Chairman's discretion. A point of information may only be made where a member is aware that the Council has incorrect information before it on a material point. The member who raises the point of information must be able to cite evidence to support their statement. The point of information may be raised whilst another member is speaking but only if that member is willing to give way. The ruling of the Chairman on the admissibility of a point of information will be final.

14.14 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 Chairman on the admissibility of a personal explanation will be final.

14.15 Participation by the Chairman of the Standards Committee

The Chairman of the Standards Committee may present the reports and recommendations of the committee, brought forward under Standing Orders 1(xi) and 2(ix) above, and contribute to the debate of such items; however, he/she shall not be entitled to propose or second any Motion or amendment, or to vote.

14.16 Application of Rules of Debate

These Rules of Debate shall apply to the consideration of all Council business where debate is allowable under these Standing Orders or at the Chairman's discretion.

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 is signed by at least twelve members.

15.2 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least twelve members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

16. Voting

16.1 Majority

Unless this 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 question is put.

16.2 Chairman's casting vote

If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote. This Standing Order shall not apply to situations in which there is equality of voting between two candidates on an appointment. In such cases, the provisions of Standing Order 16.7 below shall apply.

16.3 Method of voting

Unless a recorded vote is demanded, the Chairman will normally take the vote either by electronic means or by show of hands, at his or her discretion, or, if there is no dissent, by the affirmation of the meeting. Exceptionally, a paper ballot may be considered by the Chairman to be appropriate.

16.4 Announcement of Result

Whatever the method of voting, the Chairman will announce the result or the numerical result of the vote immediately the result is known.

16.5 Recorded vote

If six members or one quarter of those present at the meeting, whichever is the fewer, demand it, the names for and against the motion or amendment, abstaining from voting or not voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot. This procedure shall not apply to voting on appointments.

16.6 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.

16.7 Voting on appointments

Where there are three or more candidates for appointment and there is, after balloting, no candidate with a clear majority, meaning in this case the votes of **more than 50% of members present and voting**, the candidate with the least number of votes shall withdraw and there shall be a fresh ballot of the remaining candidates; and so on as necessary until a candidate has that majority. Where there are two candidates only, or two candidates remain, a vote shall be taken. In the event of a tie, a second vote shall be taken. In the event of a continuing tie, the matter shall be decided by the toss of a coin.

17. Minutes

17.1 Signing the minutes

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 part of the minutes that can be discussed is their accuracy.

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

There shall be no requirement to sign the minutes of a previous ordinary meeting at an extraordinary meeting of the Council convened under Standing Order 3 above. Any unsigned minutes of previous ordinary meetings and the minutes of the extraordinary meeting shall be signed at the next ordinary meeting.

17.3 Form of minutes

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

18. Record of Attendance

18.1 All members are required to sign the attendance sheet before the conclusion of the meeting to assist with the record of attendance.

18.2 The Council may remove a member from a body to which he or she has previously been appointed, if the member has missed four consecutive meetings of the body concerned.

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 4 of this Constitution or Standing Order 21 (Disturbance by Public).

20. Members' Conduct

20.1 Standing to speak

When a member speaks at full Council they must stand and address the meeting through the Chairman. 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.

20.2 Chairman standing

When the Chairman 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 Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman 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 Chairman 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 Chairman may adjourn the meeting for as long as he / she thinks necessary. An adjournment in these circumstances shall not require a Motion to be passed.

21. Disturbance by Public, Recording of Proceedings

21.1 Removal of member of the public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman 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 Chairman may call for that part to be cleared.

21.3 Banners, placards, etc

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any to be removed.

21.4 Recording of Business

Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the Executive, or any committee or sub-committee of the Council or the Executive.

22. Suspension and Amendment of Council Standing Orders

22.1 Suspension

All or any of these Standing Orders, except Standing Orders 16.6 (Right to require individual vote to be recorded) and 17.2 (No requirement to sign minutes of previous meeting at extraordinary meeting), may be suspended by motion on notice or without notice if requested by at least two thirds of councillors present and voting. The mover of the motion shall specify which Standing Order(s) he or she wishes to suspend as well as the business to which the suspension shall apply. Suspension may be for no longer than the duration of the meeting.

22.2 Amendment

Any motion without notice to add to, vary or revoke these Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

23. Application to Executive, Committees and Sub-Committees

- (a) All of the Standing Orders apply to meetings of full Council.
- (b) None of the Standing Orders apply to meetings of the Executive except Standing Order 10 (Public Questions).
- (c) Only Standing Orders 4-9 and 11-23 (but not Standing Order 20.1, standing to speak) apply to meetings of all committees and sub-committees.
- (d) Standing Order 10 shall apply to all Executive meetings open to the public and all committee and sub-committee meetings open to the public other than regulatory committees or sub-committees. Detailed guidelines for questions at the Scrutiny and Overview Committee are set out in Part 5 – Codes and Protocols.

- (e) The Licensing Committee (2003 Act) has resolved to operate under the Local Government Act 1972 (as amended). Standing Orders 4-9 and 11-23 (but not SO 20.1) consequently apply to meetings of the full committee, but not to meetings of its sub-committees.

24. Interpretation of Standing Orders (*Article 16.02*)

The ruling of the Chairman of Council as to the application of these Standing Orders shall be final. Such interpretation shall have regard to the purposes of the Constitution set out in Article 1.