

Part 4: Rules of Procedure

A. Council Standing Orders

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A. Council Standing Orders

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 shall take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting shall take place between March and May inclusive.
- (b) The annual meeting shall:
 - (i) elect a person to preside if the Chair of Council is not present;
 - (ii) elect the Chair of Council (in accordance with Standing Order 1.2 below);
 - (iii) appoint the Vice-Chair of Council;
 - (iv) approve the minutes of the last meeting;
 - (v) in a year when there is any election of councillors, receive the Returning Officer's Return of councillors elected.
 - (vi) receive any announcements from the Chair, Leader of Council and / or Head of Paid Service;
 - (vii) in a year when there is an ordinary election of councillors, or if the office is vacant, elect the Leader;
 - (viii) receive a statement from the Leader concerning appointments to the Cabinet, including the statutory Deputy Leader;
 - (ix) appoint statutory committees and such other committees as the Council considers appropriate in accordance with Standing Order 1.3 below;
 - (x) designate one of the Council's scrutiny and overview committees as its crime and disorder committee in accordance with sections 19 and 20 of the Police and Justice Act 2006;
 - (xi) 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);
 - (xii) receive reports and recommendations from the Cabinet 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 statement, if they wish to give one; and;
 - (xiv) consider any other business set out in the notice convening the meeting.

1.2 Election of Chair

- (a) The Chair of the Council shall be elected from among the councillors as the first business transacted at the annual meeting.
- (b) Where the Chair of Council is retiring, they should, if present, preside over the election of their successor.
- (c) Where the retiring Chair is not present, the Chief Executive (or an officer nominated by them) shall preside.
- (d) Where it is expected that the retiring Chair will stand for re-election to that office, the Chief Executive (or an officer nominated by them) shall preside, and the Chair should leave the room for the duration of the election.

1.3 Selection of Councillors on Committees and Outside Bodies

- (a) At the annual meeting, the council meeting shall:
 - (i) decide which committees to establish for the municipal year;
 - (ii) decide the size and terms of reference for those committees;
 - (iii) decide the number and allocation of seats and substitutes to political groups in accordance with the requirements of the Local Authorities (Committees and Political Groups) Regulations 1990;
 - (iv) receive nominations of councillors to serve on each committee, joint committee and outside body;
 - (v) appoint to committees and joint committees, except where appointment to those bodies is exercisable only by the Cabinet;
 - (vi) appoint up to five substitute members per committee from each political group in a hierarchical list to all committees and sub-committees;
 - (vii) elect the Chairs and Vice-Chairs of the committees;
 - (viii) appoint the Council's spokesperson on any joint committee, where required by that committee's terms of reference; and
 - (ix) appoint members and, where permitted, substitutes to outside bodies, except where appointment of those bodies has been delegated by the Council or is exercisable only by the Leader.
- (b) The Chair of the Council shall preside over the election of Chairs of committees.
- (c) Where an election is contested, nominees for Chair shall leave the room prior to voting.

2. Ordinary Meetings

2.1 Agenda for Ordinary Meetings

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

- (a) elect a person to preside if the Chair and Vice-Chair are not present;
- (b) approve the minutes of the last meeting;
- (c) receive any declarations of interest from members;
- (d) receive any announcements from the Chair, Leader, Cabinet members or the Head of Paid Service;
- (e) deal with questions and statements from the public in accordance with the Council's Public Speaking Scheme;
- (f) receive petitions presented by District councillors
- (g) debate any petitions received under the Council's Petitions Scheme, which have the requisite number of signatures;
- (h) deal with any business from the last Council meeting;
- (i) receive reports and recommendations from the Cabinet and the Council's committees and receive questions and answers on any of those reports;
- (j) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (k) note changes in membership of committees and fill vacancies on outside bodies, except where appointment to outside bodies has been delegated by the Council or is exercisable only by the Leader;
- (l) consider any other business specified in the summons to the meeting;
- (m) receive questions from, and provide answers to, members in accordance with Standing Order 12; and
- (n) consider motions in accordance with Standing Order 13.

3. Extraordinary Meetings

3.1 Calling extraordinary meetings

- (a) The following persons may request the proper officer (see note 1 below) to call Council meetings in addition to ordinary meetings:
 - (i) the Council by simple majority;
 - (ii) the Chair of the Council;
 - (iii) the Monitoring Officer;
 - (iv) The Chief Finance Officer; and
 - (v) any five members of the Council if they have signed a requisition presented to the Chair of the Council and the Chair has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

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(Note 1: In all the Part 4 Rules relating to Committee, Cabinet 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.)

- (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 shall 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, unless the Council, with no one voting against, agrees otherwise. Substitute members shall be appointed in a hierarchical list by Council at its annual meeting.
- (b) Cabinet members shall be allowed to substitute on all committees, other than any scrutiny and overview committee and the Audit and Corporate Governance Committee.

4.2 Powers and duties

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

4.3 Substitution

Substitute members may attend meetings in that capacity only:

- (a) to take the place of the ordinary member for whom they are the substitute;

- (b) where the ordinary member will be absent for the whole of the meeting in their capacity as an ordinary member notwithstanding that the ordinary member can still attend to speak on an item as either a ward councillor or member of the public, and;
- (c) 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.

4.5 Variation of Membership

The appropriate Group Leader must notify the proper officer, in writing, of any changes in membership or substitute membership of any committee, sub-committee, other forum or outside body allocated to their group and such changes will be reported to the next meeting of the Council. Such notification must be provided to the proper officer or their nominee prior to the commencement of the body in question to enable it to have effect for that meeting.

Appointments, removals or replacements of members on executive outside bodies is the responsibility of the Leader of the Council. The Head of Paid Service and Monitoring Officer have delegated powers:

- (a) to make appointments, removals or replacement of members to any committee, sub-committee or other forum (including substitutes), in accordance with the wishes of the Leader of the political group to which the seat has been allocated; and
- (b) to fill vacancies on non-executive outside bodies

as set out in the Scheme of Delegation at Table 7, Part 3 of the Constitution and subject to report to the next available meeting of the Council.

5. Times and Places of Meetings

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

6. Notice of and Summons to Meetings

The proper officer shall 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 shall send a summons by e-mail and / or post to each member of the Council, or leave it at their usual residence. The summons shall give the date, time and place of each meeting and specify the business to be transacted, and shall be accompanied by such reports as are available.

7. Chair of Meeting

The person presiding at the meeting may exercise any power or duty of the Chair. Where these Standing Orders apply to committee or sub-committee meetings, references to the Chair also include the Chair of committees and sub-committees.

8. Quorum

- 8.1 The quorum of a meeting shall 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 Chair counts the number of members present and declares there is not a quorum present, then the meeting shall adjourn immediately. Remaining business shall be considered at a time and date fixed by the Chair. If they do not fix a date, the remaining business shall 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 shall be allowed, or longer, at the Chair's discretion. If there remains no quorum at the expiry of this period, the meeting shall be declared null and void.

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, shall adjourn immediately. Remaining business shall be considered at a time and date fixed by the Chair. If they do not fix a date, the remaining business shall be considered at the next ordinary meeting. After each further four-hour period (excluding adjournments) members shall take a vote to continue the meeting which shall require three-quarters of members present to vote for the meeting to continue.

10. Public Speaking

10.1 Public Speaking Scheme

The Council's Public Speaking Scheme shall be agreed by the Civic Affairs Committee and reviewed by the committee from time to time. Public speaking shall be dealt with in accordance with the provisions of the [Public Speaking Scheme which is available on the Council's website](#).

11. Petitions

11.1 The Council's Petitions Scheme shall be agreed by the Civic Affairs Committee and reviewed by the committee from time to time.

11.2 Petitions shall be dealt with in accordance with the provisions of the [Council's Petitions Scheme which is available on the Council's website](#).

11.3 Members of the Council may present petitions at any ordinary Council meeting at the relevant point on the agenda. A member presenting a petition shall not make any speech or comment on it except to announce its title, subject and purpose. The Monitoring Officer shall arrange for such petitions to be dealt with in accordance with the Council's Petitions Scheme.

12. Questions by Members

12.1 On reports of the Cabinet or committees

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

12.2 Questions on notice at full Council

Subject to Standing Order 12.4, a member of the Council may ask:

- (a) the Chair;
- (b) the Leader, who may respond on behalf of the Cabinet or may appoint a member of the Cabinet to respond; or
- (c) the Chair of any committee or sub-committee

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

12.3 Questions on notice at committees and sub-committees

Subject to Standing Order 12.4, a member of a committee or sub-committee may ask the Chair 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.

12.4 Notice of questions

A member may only ask a question under Standing Order 12.2 or 12.3 if either:

- (a) they have given to the proper officer notice in writing of the question not later than seven clear working days before the date of the meeting; or
- (b) they have submitted their question to the proper officer prior to the commencement of the meeting.

Questions submitted under 12.4(a) shall be taken first and shall be asked in the order in which notice of them was received, except that the Chair may group together similar questions.

Questions submitted under 12.4(b) shall be drawn at random by the Chair until there are no further questions or the time limit, referred to in Standing Order 12.5 below, expires.

Only one question may be asked per member, per meeting, but one supplementary question may also be asked at the meeting.

12.5 Time Limit for questions

A total of 30 minutes shall be allowed for questions.

12.6 Scope of questions

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

- (a) is not about a matter for which the local authority has a responsibility or which affects the district;
- (b) is defamatory, frivolous or offensive;
- (c) 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;
- (d) raises issues about the competence or performance of a councillor or officer;
- (e) requires the disclosure of confidential or exempt information; or
- (f) relates to a planning or licensing application which has yet to be determined.

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

12.7 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 shall normally be circulated within five working days to the questioner and included as an appendix to the minutes.

12.8 Supplementary question

A member asking a question under Standing Order 12.2 or 12.3 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 Chair on any of the grounds set out in Standing Order 12.6 above.

12.9 Questions not dealt with

Any question of which notice has been given under Standing Order 12.4(a) and which is not dealt with at the meeting owing to expiry of the 30 minute period shall, at the preference of the member raising the question, either be included on the agenda for the next meeting of the Council or receive a written response (which shall be circulated normally within five working days to the questioner and included as an appendix to the minutes).

13. Notice of Motions

13.1 Notice

- (a) Except for motions which can be moved without notice under Standing Order 14 and any motion to remove the Leader from office as Leader, written notice of every motion, signed by a councillor, must be delivered to the proper officer not later than ten clear working days before the date of the meeting. E-signatures shall be acceptable for the purposes of this rule. Save that the Chair shall have the discretion to admit a motion to the agenda by reason of special circumstances on the grounds of urgency, in accordance with the provisions of Part VA of the Local Government Act 1972, where they are satisfied that the matter will not admit of delay until the next meeting of Council.

- (b) In the case of any motion for the removal of the Leader from office as Leader, written notice signed by at least one quarter of the councillors must be delivered to the proper officer not later than ten clear 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.
- (d) A record of notices of motion shall be kept.
- (e) Only one Motion may be submitted per member per meeting.

13.2 Number of Motions

A maximum of five motions shall be accepted for debate at an ordinary meeting of the Council under this standing order. Motions will be accepted in the order in which notice of the full written motion is received.

13.3. Similar Motions

Where similar motions have been submitted, the Chair is authorised to ask the proposers to work together to agree a mutually agreeable form of words. Where that does not prove possible, the Chair shall decide which motion shall be accepted.

13.4 Motion set out in agenda

Motions for which notice has been given and accepted by the Chair shall be listed on the agenda in the order in which notice was received, unless the councillor giving notice states, in writing, that they propose 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.

13.5 Scope

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

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

- (a) is not about a matter for which the local authority has a responsibility or which affects the district;
- (b) is defamatory, frivolous or offensive;

- (c) 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. (This does not apply to motions moved in pursuance of a recommendation of Cabinet, a Committee or a Chief Officer or motions which have been withdrawn from a previous meeting);
- (d) requires the disclosure of confidential or exempt information;
- (e) would, if carried, commit the Council to a course or courses of action contrary to agreed processes or outside its authority to act; or
- (f) relates to a planning or licensing application which has yet to be determined.

13.6 Automatic Reference to the Cabinet or a Committee

- (a) If a motion seeks to determine an executive function it shall, upon being duly moved, seconded and debated, stand referred to Cabinet to take the final decision in respect of the motion.
- (b) If the subject matter of a motion falls within the terms of reference of a committee, it shall, upon being moved, seconded and debated, stand referred to that committee.
- (c) Notwithstanding (a) and (b) above, Council may by resolution agree to refer a motion to Cabinet or a committee or other body without prior debate at the meeting.
- (d) If the motion stands referred to Cabinet or a committee for decision, and the mover of the motion is not a member of the Cabinet or the committee, then they shall be entitled to attend and address the meeting at which the motion is discussed, but shall not vote.

13.7 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 shall have the right of reply before the motion or amendment is put to the vote. If the original motion has been amended, the mover of the amendment now forming the substantive motion shall have the right of reply before it is put to the vote.

14. Motions without Notice

The following motions may be moved without notice:

- (a) to appoint a Chair 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 the Cabinet or a committee. If passed, the matter shall stand immediately deferred and shall not be further considered at the meeting;
- (e) to defer consideration of an item of business;
- (f) to appoint a committee or member arising from an item on the summons for the meeting;
- (g) to receive reports or adoption of recommendations of the Cabinet, 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 15.1 below;
- (h) to withdraw a motion;
- (i) to amend a motion;
- (j) Closure Motions in accordance with Standing Order 15.11;
- (k) that the meeting continue beyond 4 hours in duration;
- (l) to suspend a particular Council Standing Order;
- (m) to exclude the public and press in accordance with the Access to Information Rules;
- (n) to not hear further a member named under Standing Order 21.4 or to exclude them from the meeting under Standing Order 21.5; and
- (o) to give the consent of the Council where its consent is required by this Constitution.

15. Rules of Debate

15.1 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.

15.2 Right to require motion in writing

Unless notice of the motion has already been given, the Chair may require it to be written down and handed to them before it is discussed.

15.3 Secunder's speech

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

15.4 Content and length of speeches

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

15.5 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 they last spoke;
- (c) if their first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which they spoke was carried);
- (d) at the Chair's discretion, in the case of the Leader, Cabinet member or committee chair, to respond to a question directly addressed to them.
- (e) in exercise of a right of reply in accordance with Standing Order 15.9;
- (f) on a point of order;
- (g) at the Chair's discretion, to raise a point of information;
- (h) by way of personal explanation; or
- (i) to move a Motion under Standing Order 15.10 (Motions which may be moved during debate).

15.6 Amendments to motions

- (a) An amendment to a motion must be relevant to the motion and shall 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 is not to negate the motion.
- (b) The Chair 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, the original motion shall 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) 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 Chair may allow, after notice of a proposal, concurrent discussion of a subsequent amendment before both are disposed of in whatever order the Chair thinks fit, if it appears to the Chair 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.

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- (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 Chair shall read out the amended motion before accepting any further amendments.
- (g) Amendments shall be written down and handed to the Chair before they are debated, unless the Chair is willing to accept any amendments made verbally.
- (h) The Chair shall have the discretion to refuse to accept amendments if they are solely based on typographical or grammatical points.
- (i) Any proposed amendment at the Council's annual budget meeting, which in the opinion of the Chief Finance Officer, is significant, shall be rejected by the Chair unless it has been subject to prior consideration by the Scrutiny and Overview Committee or the Cabinet at the respective meetings of those bodies at which the annual budget report is presented.

15.7 Alteration of motion

- (a) A member may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent shall be signified without discussion.
- (b) A member may alter a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent shall be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

15.8 Withdrawal of motion

A member may withdraw a motion of which they have given notice with the consent of the meeting or may withdraw a motion which they have moved with the consent of both the meeting and, where it has been seconded, the seconder. The meeting's consent shall 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 13.4, any motion not moved at the relevant meeting shall be deemed to be withdrawn.

15.9 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 their amendment.

15.10 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 15.11
- (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 21.4 or to exclude them from the meeting under Standing Order 21.5; or
- (g) to refer something to the Cabinet or a committee in accordance with Standing Order 14(d) above.

15.11 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 Chair thinks the item has been sufficiently discussed, they shall give the mover of the original motion a right of reply and then put the procedural motion to the vote. The Chair may reject the procedural motion if they think that the matter before the meeting has not been sufficiently discussed.
- (c) If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, they shall put the procedural motion to the vote. If it is passed, they shall give the mover of the original motion a right of reply before putting the motion to the vote. The Chair may reject the procedural motion if they think that the matter before the meeting has not been sufficiently discussed.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that

occasion, they shall put the procedural motion to the vote without giving the mover of the original motion the right of reply.

15.12 Point of order

A member may raise a point of order at any time by standing and stating, "Point of Order". The Chair shall 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 they consider it has been broken. The ruling of the Chair on the admissibility of a point of order shall be final.

15.13 Point of information

A member may ask to raise a point of information at any time by standing and stating, "Point of Information", but shall be permitted to speak only at the Chair'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 Chair on the admissibility of a point of information shall be final.

15.14 Personal explanation

A member may make a personal explanation at any time by standing and stating, "Personal explanation". A personal explanation may only relate to some material part of an earlier speech during the meeting by the member which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation shall be final.

15.15 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 Chair's discretion.

16. Previous Decisions and Motions

16.1 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 shall not be moved unless the notice of motion is signed by at least twelve members.

16.2 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 shall not 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 may propose a similar motion or amendment for six months.

17. Voting

17.1 Majority

Unless this Constitution provides otherwise, any matter shall be decided by a simple majority of those members voting and present in the room at the time the question is put.

17.2 Chair's casting vote

If there are equal numbers of votes for and against, the Chair shall have a second or casting vote. There shall be no restriction on how the Chair 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 17.8 below shall apply.

17.3 Method of voting

Unless a recorded vote is demanded, except for full Council and Planning Committee where all votes shall be recorded in the manner described in Standing Order 17.5 (Recorded Vote), apart from those taken by affirmation, the Chair shall normally take the vote either by electronic means or by show of hands, at their discretion, or, if there is no dissent, by the affirmation of the meeting. Exceptionally, a paper ballot may be considered by the Chair to be appropriate. This procedure shall not apply to voting on appointments which shall be dealt with in accordance with Standing Order 17.8.

17.4 Announcement of Result

Whatever the method of voting, the Chair shall announce the result or the numerical result of the vote immediately the result is known.

17.5 Recorded vote

At all Council and Planning Committee meetings, the names for and against a motion or amendment or abstaining from voting shall be recorded and entered into the minutes. For all other meetings to which these Standing Orders apply, if one member demands it, a recorded

vote shall take place in the same way. This procedure shall not apply to meetings of a Licensing sub-committee or to voting on appointments.

17.6 Recorded vote on budget decisions

In accordance with statutory requirements, if the Council is considering an item on the Council's budget or the setting of the Council Tax, the names for and against the motion or amendment, abstaining from voting or not voting shall be taken down in writing and entered into the minutes.

17.7 Right to require individual vote to be recorded

Except for Council and Planning Committee meetings, where all votes shall be recorded, where any member requests it immediately after the vote is taken, their vote shall be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

17.8 Voting on appointments

Where 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 shall be taken off the list and a new vote taken. The process shall continue until there is a majority of votes for one person. 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.

18. Minutes

18.1 Signing the minutes

The Chair shall sign the minutes of the proceedings at the next suitable meeting. The Chair shall 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.

18.2 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.

18.3 Form of minutes

Minutes shall contain all motions and amendments in the exact form and order the Chair put them.

19. Record of Attendance

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

20. 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 22 (Disturbance by Public).

21. Members' Conduct

21.1 Indicating wish to speak

Where a member wishes to speak, they must indicate their wish to do so by raising their hand. No member may speak (except when raising a point of order, point of information or a personal explanation) unless and until invited by the Chair.

21.2 Chair standing

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

21.3 Member not to be heard further

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

21.4 Member to leave the meeting

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

21.5 General disturbance

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as they think necessary. An adjournment in these circumstances shall not require a motion to be passed.

22. Disturbance by Public

22.1 Removal of member of the public

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

22.2 Clearance of part of meeting room

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

22.3 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 Chair may require any to be removed.

23. Recording of Meetings

23.1 The recording in any format of any meeting of the Council, the Cabinet, or any committee or sub-committee of the Council or the Cabinet, is permitted, except:

- (a) Where the Chair, or person presiding the meeting, rules that filming is being undertaken in such a way that is disruptive or distracting to the good order and conduct of the meeting.
- (b) Where the public have been excluded from the meeting in accordance with the Council's Access to Information Procedure Rules (Rule 10) during the consideration of exempt or confidential information (this also applies to any recordings made by members of the Council).

24. Cancellation or rescheduling of meetings

- 24.1 The Chief Executive is authorised to cancel or reschedule a meeting before the agenda has been published, following consultation with the Chair and group leader(s).
- 24.2 Where, in exceptional circumstances, such as severe weather or other disruptive circumstances, it is necessary to cancel or reschedule a meeting after the agenda has been published, the Chief Executive shall be authorised to do so, following consultation with the Chair and group leader(s). The notice advising of the cancellation or rescheduling shall specify the exceptional circumstances in which the decision was taken. Outstanding business shall be held over to the next scheduled or rescheduled 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.

25. Suspension and Amendment of Council Standing Orders

25.1 Suspension

All or any of these Standing Orders, except Standing Orders 17.7 (Right to require individual vote to be recorded) and 18.2 (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) they wish 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.

25.2 Amendment

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

26. Application to Cabinet, Committees and Sub-Committees

- 26.1 All of the Standing Orders apply to meetings of full Council.
- 26.2 None of the Standing Orders apply to meetings of the Cabinet except Standing Order 10 (Public Speaking), Standing Order 11 (Petitions), and Standing Order 24 (Cancellation of Meetings).

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- 26.3 Only Standing Orders 4-9 and 12 and 14-25 apply to meetings of all committees and sub-committees.
- 26.4 Standing Order 10 (Public Speaking) shall apply to all Cabinet meetings open to the public and all committee and sub-committee meetings open to the public other than regulatory committees or sub-committees. A separate public speaking scheme shall operate for Planning Committee.
- 26.5 The Licensing Committee (2003 Act) has resolved to operate under the Local Government Act 1972 (as amended). Standing Orders 4-9 and 12-25 (but not Standing Order 21.1) consequently apply to meetings of the full committee, but not to meetings of its sub-committees.

27. Interpretation of Standing Orders (Article 16.2)

The ruling of the Chair 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.