

Section 27

Council Procedure Rules

1. Meetings of the Council

- (1) The annual meeting of the Council must be held as provided by the Local Government Act 1972 on a date and at a time fixed by the Council.
- (2) Other meetings of the Council shall be held at such other days as the Council may fix.
- (3) An extraordinary meeting of the Council may be called at any time by the Chair, Chief Executive, Chief Finance Officer or the Monitoring Officer.
- (4) An extraordinary meeting of the Council may also be called provided that at least 5 Members have signed a requisition to that effect and have passed that to the Chair of the Council. If, at the expiry of 5 clear working days from the receipt of the request the Chair fails to call the requested extraordinary meeting within 10 clear working days then any 5 Members (which can be the same Members as made the initial request) may call an extraordinary meeting of the Council to which the Proper Officer shall so arrange.
- (5) The date, time and place of meetings will be determined by the Proper Officer.
- (6) 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 and current regulations. The Proper Officer will send a summons by post or electronic means 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.

2. Chair and Vice-Chair of the Council

- (1) The election of the Chair of the Council shall be the first business to be transacted at the annual meeting of the Council.
- (2) The Council shall at the annual meeting appoint, by election, a Vice-Chair.
- (3) The Chair of the Council or if they are absent, the Vice-Chair preside. If the Chair and Vice-Chair are absent a Member who is not a Member of the Executive, shall be appointed, by election, by those present to preside.
- (4) Any power or duty of the Chair of the Council in relation to the conduct of a meeting may be exercised by the Member presiding at a meeting.

- (5) The Chair and Vice-Chair will hold office for the municipal year and shall not be removed from office unless they resign or are disqualified by law from remaining as a Councillor or if there is a change in the administration of the Council, whereupon a Member may move that the Chair and Vice-Chair be removed and that a new Chair and Vice-Chair be nominated and appointed. For the avoidance of doubt, the Chair or Vice-Chair cannot be removed by a motion of “no confidence” or other similar motion.

3. Quorum

No business shall be dealt with at a meeting of the Council unless one quarter of the whole number of Members of the Council is present. If there is no quorum the meeting must be adjourned immediately and any remaining business postponed either to a time fixed by the Chair at the adjournment or if no time is fixed, the next ordinary meeting.

4A. Order of Business – Annual Meeting

- (1) 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:
 - (a) To elect a person to preside if the Chair or Vice-Chair of the Council is not present.
 - (b) To elect the Chair of the Council.
 - (c) To appoint, by election, the Vice-Chair of the Council.
 - (d) To approve the minutes of the last meeting.
 - (e) To receive any announcements from the Chair of the Council, the Leader of the Council, or the Chief Executive.
 - (f) To elect the Leader of the Council in accordance with the provisions set out in Part 2, Section 6, Paragraph 6.3 of the Constitution.
 - (g) To receive notification from the Leader of the Council of the number and identity of Cabinet Members and their Portfolios.
 - (h) To receive the acceptance of office from the Leader of the Opposition.
 - (i) To receive notification from the Leader of the Opposition of the number and identity of the Shadow Cabinet Members and their Portfolios.
 - (j) To appoint at least one Overview and Scrutiny Committee (referred to as a Scrutiny Committee), a Standards Committee, a Licensing and Public Protection Committee, a Planning Control Committee and such other Committees as the Council considers appropriate.
 - (k) To decide the size and terms of reference for those Committees for the municipal year and other bodies including any such scheme for substitute Members.
 - (l) To decide the allocation of seats to political groups in accordance with the current legislation.

- (m) To appoint to Committees those Councillors named by the Group Leader.
 - (n) To appoint the Chairs and Vice-Chairs of Committees provided that advance notification of any Political Group's proposed Chairs, Vice-Chairs and membership has been circulated by the Proper Officer to all Members at least 24 hours prior to the Annual Meeting.
 - (o) To appoint representatives to outside bodies provided that Group Leaders have submitted their nominations to the Proper Officer at least 48 hours prior to the commencement of the Annual Meeting. The submitted nominations shall be circulated to Members of the Council at least 24 hours prior to the meeting and no amendments shall be permitted once the nominations are received by the Proper Officer.
 - (p) To receive and adopt any changes to the Constitution.
 - (q) To consider any other business set out in the notice convening the meeting.
- (2) The order of business may be changed, insofar as it is statutorily possible, at the discretion of the Chair or by motion passed without discussion. The motion need not be in writing.

4B. Order of Business – Ordinary Meetings

The order of business at every meeting of the Council shall be:

- (a) To choose the person to preside if the Chair and Vice-Chair are absent.
- (b) To approve as a correct record and sign the minutes of the last meeting of the Council.
- (c) To deal with any deputations or public questions received in accordance with the Council's approved schemes.
- (d) To receive any announcements from the Chair of the Council, the Leader of the Council, or the Chief Executive.
- (e) In the event of the Leader being removed following a vote of 'no confidence' or a change in administration, to elect a Leader of the Council.
- (f) In the event of any change to the composition of the Cabinet (including the Leader), to receive notification from the Leader of the Council of the number and identity of Cabinet Members and their Portfolios.
- (g) In the event of a change in the leader of the Opposition, to receive the acceptance of office from the Leader of the Opposition.
- (h) In the event of any change to the composition of the Shadow Cabinet (including the Leader of the Opposition), to receive notification from the Leader of the Opposition of the number and identity of the Shadow Cabinet Members and their Portfolios.
- (i) In the event of any change in the Chair or Vice-Chair of a Committee, to appoint the Chair and Vice-Chair to such Committee.
- (j) In the event of any change in named membership of a Committee by a Group Leader, to appoint the newly named Member(s).

- (k) To dispose of business (if any) remaining from the last meeting.
- (l) To answer questions asked under Rule 8.
- (m) To consider reports and recommendations of the Cabinet, Committees and Panels.
- (n) To consider motions under Rule 6 in the order in which notice has been received.
- (o) To deal with comments and questions under Rule 9.
- (p) To consider other business, if any specified in the summons.
- (q) The order of business may be changed, insofar as it is statutorily possible, at the discretion of the Chair or by motion passed without discussion. The motion need not be in writing.

4C. Order of Business – Extraordinary Meetings

- (a) To choose a person to preside if the Chair and Vice-Chair are absent.
- (b) To consider the business specified in the summons for which the extraordinary meeting was called.

4D. Petitions

- (a) At a meeting of the Council any member of the Council may present a petition to the Chair. The petition must be signed by at least 10 residents of the District, other than members of the Council (to assist with the verification of their status as residents, petitioners must print their name and address). The Member presenting the petition shall satisfy themselves that the petition complies with this rule.
- (b) A petition may be on any matter related to the Council's functions except an application for a licence, permission, or certificate to be considered under the Council's regulatory functions.
- (c) A Member wishing to present a petition shall give notice of their intention to do so to Head of Law & Governance or the person presiding at the meeting before the start of the meeting at which they wish to present it.
- (d) On presentation of the petition the Member may read out or summarise the request of the petition, indicate the number of and description of the signatories but may not speak otherwise.
- (e) A petition properly presented under this rule shall be reported to the Cabinet for consideration.

5. Minutes

- (1) The Chair will move that the minutes of the previous Council meeting be signed as a correct record.
- (2) No discussion shall take place on these minutes, except as to their accuracy. The Chair shall sign the minutes when they have been agreed.
- (3) Extraordinary Meetings shall not be used to sign minutes. Minutes of Council Meetings shall only be approved by the Annual Meeting or an ordinary meeting of the Council.

6. Notices of Motion

(1) Delivery of Notice of Motion

- (a) Notice of a motion other than one referred to in Rule 7 must be given in writing and signed by the Member(s) giving notice. It must be delivered to the Proper Officer at least 7 clear working days before the meeting of the Council at which it is to be considered.
- (b) The Proper Officer must ensure a record is kept of notices of motion received. Members are entitled to see this record.

(2) Motions to be set out in Summons

The summons to a meeting of the Council must set out motions in the order in which they have been received unless they have been withdrawn in writing or relate to a later meeting.

(3) Motions not Moved

Unless postponed with the consent of the Council a motion in the summons which is not moved (by the person who has given notice or a Member on their behalf) is deemed to be withdrawn.

(4) Motions Having Financial Impact

Motions containing proposals which would:

- (a) Increase the capital and/or revenue expenditure of the Council and/or,
- (b) Reduce the income of the Council,

must first be referred to the Cabinet by the Chief Executive, prior to consideration by Council.

(5) Automatic Reference to Cabinet, Committee or Sub-Committee

If the subject matter of any motion of which notice has been duly given comes within the province of the Cabinet or any Committee or Sub-Committee, or falls within rule 6(4), above, it shall formally be moved and seconded and stand referred without discussion to the next (where practicable) Cabinet or to such Committee or Sub-Committee or to such other Committee or Sub-Committee as the Council may determine for consideration and report; provided that the Chair may, if the Chair considers it convenient and conducive to the despatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

(6) Scope of Motions

Every motion shall be relevant to some matter in relation to which the Council has powers or duties, or which affects the district.

(7) Mover of Motion may attend Cabinet, Committee or Sub-Committee

A Member of the Council who has moved a motion which has been referred to the Cabinet or any Committee or Sub-Committee shall have notice of the meeting at which it is proposed to consider the motion. The Member shall have the right to attend the meeting and speak but shall not vote upon that motion unless the Member is a Member of the Cabinet, Committee or Sub-Committee considering the motion.

(8) Motions Considered Under Rule 6(4)

Motions that are referred to Cabinet by virtue of rule 6(4), above, shall be considered at the next practicable Council meetings following its consideration by Cabinet, and the following procedures will have effect:

- (a) The motion will already be deemed to have been moved and seconded at the previous Council meeting.
- (b) The mover of the motion will present the motion again.
- (c) The relevant Cabinet Portfolio Holder, or other Cabinet member if unavailable, shall present the report or recommendations of Cabinet, but may also speak again during the debate on the motion.
- (d) The original motion will then be discussed under the normal rules of debate.

7. Motions Which May be Moved Without Notice

The following motions and amendments may be moved without notice:

- (1) appointment of a Chair of the meeting at which the motion is made.
- (2) motions relating to the accuracy of the minutes.
- (3) that an item of business specified in the summons has precedence.
- (4) a motion by the Chair of the Council (or Member presiding) that a deputation or public question be allowed in accordance with the approved schemes.
- (5) refer the item or motion to the Cabinet or a Committee or Sub-Committee.
- (6) appointment of a Committee, Sub-Committee or Members thereof arising from an item mentioned in the summons to the meeting.
- (7) receipt of reports and adoption of recommendations of the Cabinet, Committees, Sub-Committees Panels or Officers and any consequent resolutions.
- (8) that leave be given to withdraw a motion.
- (9) extending the time limit for speeches.
- (10) amendments to motions.
- (11) that the Council proceed to the next business.
- (12) that the question be now put.
- (13) that the debate be now adjourned.
- (14) that the Council do now adjourn.
- (15) suspending Rules in accordance with Rule 24.
- (16) the Chair (only) may move that a Member named under Rule 11 be not further heard or that they leave the meeting.
- (17) giving consent of the Council where the consent of the Council is required by the Constitution.
- (18) a motion under the Local Government Act 1972 to exclude the public.

8. Questions by Members

(1) On reports of the Cabinet or Committees

A member of the Council may ask the Leader of the Council or portfolio Lead 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 under consideration by the Council.

(2) Questions on notice at full Council

Subject to Rule 8(4), a member of the Council may ask:

- the Chair.
- a member of the Cabinet.
- the Chair of any Committee or Sub-Committee, Panel or other Body.

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

(3) Questions on notice at Committees, Sub-Committees and Panels

Subject to Rule 8, a member of a Committee, Sub-Committee or Panel 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 area, and which falls within the terms of reference of that Committee, Sub-Committee or Panel.

(4) Notice of questions

A member may only ask a question under Rule 8(2) or 8(3) if either:

- (a) they have given at least 7 clear working days notice in writing of the question to the Proper Officer, or
- (b) the question relates to urgent matters, and they have the consent of the Chair of the Council to the question being asked provided that such request is received not less than four hours before the start of the meeting. The relevant Portfolio Holder, Leader, or Committee Chair shall respond at the Council meeting.

If the Member who submitted the original question wishes to ask one supplementary question on any matter arising out the original question or response, they may do so.

(5) 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 and within a reasonable time to the questioner.

9. Minutes of Meetings of the Cabinet, Committees, Sub-Committees and Panels

- (1) A document called The Minutes Record (the "Record") containing the minutes of Cabinet, Committees, Sub-Committees and Panels shall be circulated to all Members at least 5 clear working days before each Council meeting.
- (2) The Record shall contain the minutes of all meetings that have taken place since the last Record was issued. If the minutes have not at the time of publication been approved as a correct record, they shall clearly be marked as "DRAFT".

(NB: Minutes appearing in the Record marked "DRAFT" will not appear again in the Record once approved but will be published on the Council's website.)
- (3) The Record will be circulated electronically but Members may request a paper copy. A paper copy of the Record will be placed in each Group Room.
- (4) Any Member who wishes to ask a question or make a comment on any item in the Record at the Council meeting must give written notice to the Chief Executive at least 3 clear working days before the start of the meeting, giving the minute number of the item and setting out clearly the question to be asked or comment to be made. Questions may be asked of the Leader, the Cabinet member who holds the relevant portfolio or the Chair of the relevant meeting. Comments and questions shall be confined to the subject matter of the item.

(N.B. For a normal Council meeting held on a Wednesday the deadline is 5:00 p.m. on the previous Thursday.)
- (5) A maximum of 10 questions or comments will be permitted for each meeting and no member may submit more than 2 questions or comments for each Council meeting. Questions and comments will be accepted in the order in which they are received.
- (6) A written response from the Leader, Cabinet Member or Chair will be compiled. A document containing all questions and comments together with the responses will be circulated to all Members at or before the commencement of the Council meeting. For the avoidance of doubt the response may be that the person declines to give a response to the question or comment.
- (7) The person chairing the Council meeting will call each of the Members who have submitted a question or comment in the order in which they appear in the document and that Member may ask a supplementary question or make a supplementary comment confined to the subject matter of the original question or comment or the content of the response. The Leader, Cabinet Member or Chair who gave the original response may answer the supplementary question or respond to the supplementary comment but there shall be no further questions, comments or discussion.

- (8) This Rule is not intended to restrict Member's access to information or to restrict their ability to ask questions or seek information by other means or at other times. Members should before using this Rule contact the Leader, Cabinet Members or the Chairs of Committees or Officers to ask questions or seek information. Any questions or comments received after the deadline or which exceed the number allowed under this Rule will be passed to the appropriate person but will not be circulated at the Council meeting.
- (9) Any recommendations of the Cabinet, Committees, Sub-Committees, Panels or Forums which requires a decision by Council shall be considered as a separate agenda item on the Council agenda. Any questions or comments in relation to such an item will be taken with that item.

10. Rules of Debate for Council Meetings

- (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.
- (2) **Right to require motion in writing**
Unless notice of the motion has already been given, the Chair of the Council may require it to be written down and handed to them before it is discussed.
- (3) **Secunder's speech**
When seconding a motion or amendment, a Member may reserve their right to speak until later in the debate.
- (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 speech may exceed 5 minutes without the consent of the Chair of the Council.
- (5) **Only one member to stand at a time**
A member when speaking shall stand and address the Chair. If two or more members rise, the Chair shall call on one to speak; the other or others shall then sit. While a member is speaking the other members shall remain seated, unless rising to a point of order.
- (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) 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) in exercise of a right of reply.
 - (e) on a point of order or personal explanation.

(7) Alteration of motion

- (a) A member may amend a motion of which they have given notice with the consent of the meeting. The meeting's consent by way of a vote will be signified without discussion.
- (b) A member may amend a motion which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified by way of a vote without discussion.
- (c) Only amendments under Rule 10(7)(a) are permitted.

(8) 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 words.as 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 in accordance with Rule 15. Amendments will be considered in the order upon which they are received.
- (c) Except as set out in Rule 10(11) below, and as provided for in Rule 10(8)(d), no amendment to a motion (including an amendment to refer back any business for further consideration) shall be moved at any meeting of the Council unless notice thereof in writing setting out the amendment and signed by the Member giving it, has been received by the Chief Executive no later than 10 am on the second working day preceding the day of the meeting.
- (d) If a Member wishes to move a second or further amendment and has not given due notice thereof where required in accordance with Rule 10(8)(c) the Member shall give notice of the proposed amendment during the discussion on the first or other earlier amendment and, subject to the consent of the Chair (whose decision shall not be open to discussion), may move this amendment at such time as the Chair shall decide. Subject to this, all amendments shall be considered in the order in which notice has been given.
- (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 of the Council will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

- (g) No amendments to the motions may be moved in respect of the Council determination of the Budgetary Framework as specified in Part 4, Section 29.

(9) Withdrawal of motion

A member may withdraw a motion which they have moved with the consent of the seconder. No member may speak on the motion after the mover has withdrawn the motion.

(10) Right of reply

- (a) The mover of the motion (or substantive motion) has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the amendment has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.

(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 proceed to the next business.
- (c) that the question be now put.
- (d) to adjourn a debate.
- (e) to adjourn a meeting.
- (f) that the meeting continue beyond five hours in duration.
- (g) to exclude the public and press in accordance with the Access to Information Rules.
- (h) to not hear further a member named under Rule 11.3 or to exclude them from the meeting under Rule 11.4, and
- (i) a requisition for a named vote under Rule 15.5.

(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 Chair thinks the item has been sufficiently discussed, they will give the mover of the motion or the amendment the right of reply and then put the procedural motion to the vote without further debate or discussion.

- (c) If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, they will put the procedural motion to the vote without further debate or discussion. If it is passed they will give the mover of the motion or the amendment the right of reply before putting the motion to the vote.
- (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 will put the procedural motion to the vote without giving any right of reply and without further debate or discussion.
- (e) Items of business not dealt with prior to the meeting being adjourned shall be considered at the re-convened meeting of Council which shall take place 14 calendar days following the decision to adjourn.

(13) Points of Order and Personal Explanations

- (a) A Member may raise a point of order at any time. The Chair will hear the argument immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the rule or law and the way in which they consider it has been broken without which the alleged breach shall be disregarded. Unless the Member refers explicitly to the relevant Rule of Procedure or law they shall not be heard.
- (b) A Personal Explanation shall be confined to some material part of a former speech made by that Member which may have been misunderstood in the present debate and to provide clarification. The ruling of the Chair on these matters will be final.
- (c) In both (a) and (b) above the Member must AT THE START of their address refer to the Rule of Procedure, law or matter of Personal Explanation they wish to raise.

11. Conduct of Members

(1) Standing to speak

When a Member or member of the public speaks at full Council they must stand (unless they are disabled from doing so) and address the meeting through the Chair. If more than one Member stands, the Chair 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.

(2) Chair standing

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

(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 at their absolute discretion may move that the Member be not heard further

for the remainder of that item. If seconded, the motion will be voted on without discussion.

(4) Member to leave the meeting

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

(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.

12. Disturbance by Members of the Public

(1) If a member of the public interrupts the proceedings at any meeting, the Chair shall issue a warning. If the member of the public concerned continues the interruption, the Chair shall order the removal of that person from the Council Chamber.

(2) In case of general disturbance in any part of the Chamber open to the public, the Chair shall order that part to be cleared.

13. Suspension of Sitting

If the business of the Council be not disposed of at the expiration of the fifth hour after commencement of the meeting, the Chair shall ask for an immediate vote to be taken of the Members present as to whether they desire to proceed with the remaining business. If the Members decide to adjourn they shall fix upon a date when the adjourned meeting shall take place or, if no date and time is fixed, the remaining business will be included in the agenda for the next ordinary meeting.

14. Rescission of Resolution

No motion to rescind any resolution passed by the Council within the preceding six months and no motion or amendment to the same effect as one which has been rejected within the preceding six months shall be proposed unless notice is given in accordance with Rule 6 and bears the names of at least fourteen Members of the Council. When any such motion or amendment has been disposed of by the Council it shall not be open to any Member to propose a similar motion within a further period of six months. This Rule shall not apply to motions moved following a recommendation of a Committee to the Council.

15. Voting

(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 was put.

(2) Chair's casting vote

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

If the Chair chooses not to exercise their casting vote and an equality of vote remains, the motion shall fall.

(3) **Show of hands**

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

(4) **Named vote**

In the circumstances set out in (a) or (b) below the names of those Members who vote for or against a motion or amendment or who abstain from voting will be taken down and recorded in the minutes of the meeting.

(a) If before a vote is taken a Member so requests and is supported by six other Members (signified by the Members rising in their places).

(b) Immediately after any vote is taken at a budget decision meeting of the Council.

(c) In paragraph 15.5(b) “budget decision meeting” means a meeting of the Council at which it makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992(3) and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting “vote” means a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be.

(5) **Recorded Vote**

Prior to the vote being taken (and where no named vote has been requested) at least 6 Members of Council (indicating their support by rising in their place) may request that the numbers of votes for, against and abstentions be recorded in the minutes.

(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.

(7) **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.

16. Record of Attendance

Members must sign the attendance book for every meeting at which they are present. This shall be the responsibility of every Member.

17. Appointment of Chairs and Vice-Chairs of Committees, Sub-Committees and Other Bodies

- (1) Members shall, at the annual meeting, in conjunction with the appointment of Committees, Sub-Committees and other bodies, also appoint the Chairs and Vice-Chairs thereof.
- (2) If the Chair and Vice-Chair are absent from a meeting, a Chair for that meeting must be appointed by the other Members of the Committee, Sub-Committee or other body present at that meeting.

17A. Vice-Chairs of Scrutiny Committees

The Vice-Chair of a Scrutiny Committee shall, where the Council is divided into political groups so far as possible be appointed according to the following principles:

- (a) where the Executive comprises Members of one or more groups the combined membership of which comprise less than 24 members of the Council the Vice-Chairs of the Scrutiny Committees shall be allocated to the groups not having members on the Executive in proportion to the number of Members in those groups.
- (b) where the Executive comprises Members of one or more groups the combined membership of which comprise 24 or more Members of the Council the Vice-Chairs of the Scrutiny Committees shall be allocated to the groups in proportion to the number of Members in the groups.
- (c) the Vice-Chair of a Scrutiny Committee shall not be a member of the same political group as the Cabinet Member whose portfolio corresponds wholly or mainly with the terms of reference of the Scrutiny Committee.

18. Proceedings of Committees, Sub-Committees and Other Bodies

All agenda, reports and other documents and all proceedings of Committees, Sub-Committees and other bodies shall be subject to the Access to Information provisions.

19. Representatives on Committees, Sub-Committees and Other Bodies

Where a Committee, Sub-Committee or other body of the Council so wishes it shall, as necessary or appropriate, produce schemes to allow the public to attend meetings so as to:

- (a) make representations and/or
- (b) provide information to assist the Committee, Sub-Committee or other body in its consideration or determination of a particular matter.

20. Sub-Committees

The Council and every Committee appointed by the Council may appoint Sub-Committees for purposes to be specified by the Council or Committee. Except where powers or duties are delegated to a Sub-Committee by the Council or a Committee to expedite decisions or whose acts in pursuance of any statutory enactment need not be submitted to the Committee for approval, no act of a Sub-Committee shall have effect until approved by the Committee.

21. Quorum of Committees, Sub-Committees and Other Bodies

The Quorum of any committee or sub-committee or Panel or other body not being Full Council shall be one quarter of the membership or 3 members whichever is the larger.

22. Rules to Apply to Committees, Sub-Committees and Other Bodies

Unless otherwise stated in other sections, the following Council Procedure Rules will apply to meetings of Committees, Sub-Committees:

4B (a) (b) (o) and (p)	Order of Business
5 (1) and (2)	Minutes
6 (6)	Attendance of Mover of Motion of referred to committee
10 (4) (9) and (10)	Length of speech, withdrawal of notice and right of reply
11 (3) (4) and (5)	Chair's removal of Member and adjournment
12	Disturbance by members of the Public
15	Voting
16	Record of attendance
17 (2)	Absence of Chair and Vice-Chair
18	Application of Access to information
19	Public representations
20	Sub-committees
21	Quorum
23	Recording Apparatus at Meetings

23. Recording Apparatus at Meetings

- (a) Audio and video/visual recording, photography, blogging, tweeting or use of other social media by members of the public or the press at meetings open to the public are allowed subject to compliance with the Protocol for Recording, Filming and Social Media at Meetings in Part 5, Section 40 of the Constitution.
- (b) Members of the Council may make an audio recording of a meeting which is open to the public, so long as it does not cause a disturbance to other Members present but may not make a video or other visual recording.

24. Suspension of Rules

The Council can suspend the provision of these Rules in respect of any business at the meeting at which its suspension is authorised subject to the Monitoring Officer advising whether or not such suspension is permitted in law. However, no motion to suspend these Rules can be moved unless at least two-thirds of the whole number of the Council are present and only to the extent proportionate to the result to be achieved and provided that the suspension is lawful.

25. Rules to be Given to Members

A printed copy of these Rules shall be given to each Member of the Council upon delivery to the Proper Officer of the Members' declaration of acceptance of office on the Members being first elected to the Council.

26. Interpretation of Rules

The ruling of the Chair of the meeting as to the construction or application of any of these Rules or as to any proceedings shall not be challenged and shall be final.

Scheme for Receiving Questions From the Public at Ordinary Meetings of the Council

- (a) The public may ask questions at any ordinary meeting of the Council so long as:-
 - (i) Written notice of a question is received by the Chief Executive no later than midday 6 clear working days before the meeting. The question will be recorded in such a way as can be inspected by any Member of the Council or a Member of the public.
 - (ii) Questions will be heard in the order in which notice was received. The question and the name(s) of the person(s) attending the meeting to ask the question will be included on the summons for the meeting.
 - (iii) Every question must be about something for which the Council has a responsibility, or which affects the area and must be addressed to the Chair of the Council.
 - (iv) Any questions which are not dealt with will be heard at the next meeting or following meetings in the order in which notice was received.
 - (v) The questioner is a resident of the district or conducts their business within the district.
 - (vi) If, in the opinion of the Chair of the Council, the subject of the question has not been the subject of a question asked within the last six months or is on a relevant issue or matter arising from that question.
- (b) If any public questions relate to information that is already in the public domain, Officers are able to respond to the question directly without the question needing to be put at full Council.
- (c) Public questions shall be the first item on the Council Meeting Agenda after confirmation of the Minutes of the previous meeting and any statutory business to be transacted.
- (d) If the questioner is not present in person to ask the question, then the question will not be dealt with.
- (e) The questioner shall ask the question as submitted and shall not otherwise address the meeting.
- (f) The Chair of the Council will then call upon the Council Leader, or appropriate Portfolio Leader to reply.
- (g) There will be no debate on either the question or the reply.
- (h) One supplementary question as a response to the reply to the first question will be permitted to which a reply may also be given. No further question or debate will be allowed on the matter.

Scheme for Receiving Deputations at the Ordinary Meetings of the Council

- (a) Deputations may be received at any ordinary Council meeting of the Council so long as:
 - (i) Written notice of a deputation is received by the Chief Executive no later than midday 6 clear working days before the meeting. It must give the subject of the deputation and will be recorded in such a way as can be inspected by Members of the Council and Members of the public.
 - (ii) Deputations will be heard in the order in which notice was received. The name(s) of the organisation(s) or person(s) attending, and the subject of every deputation will be included on the summons for the meeting.
 - (iii) Every deputation must be about something for which the Council has a responsibility, or which affects the area.
 - (iv) Any deputations which are not dealt with will be heard at the next meeting or following meetings in the order in which notice was received.
 - (v) There can be no more than five people in a deputation all of whom shall be residents of the district or conducts their business within the district. Two of these may speak and the speeches, including the reading of any written material must not last longer than five minutes.
 - (vi) The subject of the deputation has not been the subject of a Council decision made within the last six months or is on a relevant issue or matter arising from that decision.
- (b) Deputations shall be the first item on the Council Meeting Agenda after confirmation of the Minutes of the previous meeting and any statutory business to be transacted.
- (c) After a deputation has addressed the Council, Members of the Council may ask questions of the deputation. Questions and answers must not last longer than ten minutes in total.
- (d) If at the conclusion of questions and answers it is considered the subject matter should be discussed by the Council at that meeting a Member may move 'That the subject matter of the deputation be discussed' whereupon the Chair shall put the motion without further discussion. If the motion is carried, the subject matter shall be discussed at the conclusion of any other non-confidential business on the agenda. However, if the subject matter is such that it introduces an item of business not included in the agenda it shall not be considered unless the Chair of the meeting under the Local Government (Access to Information) Act 1985, by reason of special circumstances, which shall be specified in the Minutes, is of the opinion that the item should be considered at the meeting as a matter of urgency.
- (e) If the subject matter is not discussed as aforesaid at the Council meeting, the matter shall stand referred to the Cabinet or the appropriate Committee or Sub-Committee for consideration.