

PART 5 – RULES OF PROCEDURES (MEETINGS)
(SECTION 1 – COUNCIL PROCEDURE RULES)

Part 5 is set out in four sections as follows:

SECTION 1 – Council Procedure Rules

SECTION 2 – Cabinet Procedure Rules

SECTION 3 – Committee Procedure Rules

SECTION 4 – Public Speaking Rules

Contents

1.	SCOPE.....	4
2.	ANNUAL MEETING OF THE COUNCIL	4
3.	ORDINARY MEETINGS OF THE COUNCIL.....	5
4.	SPECIAL MEETINGS OF THE COUNCIL	5
5.	EXTRAORDINARY MEETINGS.....	7
6.	TIME AND PLACE OF MEETINGS.....	7
7.	NOTICE OF AND SUMMONS TO MEETING	7
8.	CANCELLATION, POSTPONEMENT OR ADJOURNMENT OF MEETINGS	7
9.	CHAIRMAN OF MEETING	7
10.	QUORUM.....	8
11.	QUESTIONS BY MEMBERS OF THE PUBLIC	8
12.	QUESTIONS BY MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS.....	9
13.	QUESTIONS/STATEMENTS BY MEMBERS	10
14.	NOTICES OF MOTION.....	11
15.	MOTIONS WITHOUT NOTICE	13
16.	RULES OF DEBATE.....	13
17.	PREVIOUS DECISIONS AND MOTIONS.....	17
18.	VOTING	18
19.	MINUTES	19
20.	RECORD OF ATTENDANCE	20
21.	EXCLUSION OF THE PUBLIC	20
22.	PHOTOGRAPHY, BROADCASTING AND RECORDING OF MEETINGS.	20
23.	MEMBERS CONDUCT	20
24.	DISTURBANCE BY THE PUBLIC.....	21
25.	SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES.	21
26.	MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES, WORKING PARTIES, WORKING GROUPS AND PANELS	21
27.	SUBSTITUTION.....	22
28.	REPRESENTATION ON OUTSIDE BODIES.....	23
29.	SUBSTITUTION OF THE CHIEF EXECUTIVE.....	23

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

1. SCOPE

These rules apply to meetings of the Council.

2. ANNUAL MEETING OF THE COUNCIL

2.1 Timing and Business

In a year when there is an ordinary election of Councillors, the annual meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the Annual Meeting will be held in April or May.

The annual meeting will:

- (i) appoint a person to preside if the Chairman of the Council is not present;
- (ii) appoint the Chairman of the Council in accordance with Article 4 of this Constitution;
- (iii) elect the Vice-Chairman of the Council in accordance with Article 4 of this Constitution;
- (iv) approve the minutes of the last meeting;
- (v) receive any declarations of interest from Members in accordance with the Members Code of Conduct;
- (vi) receive any announcements from the Chairman;
- (vii) appoint the Leader and Deputy Leader of the Council in accordance with Article 7;
- (viii) note the appointment of Cabinet Members and Deputies to Cabinet Members as confirmed by the Leader of the Council in accordance with Article 7;
- (ix) appoint members to the Overview Select Committee, Regulatory Committees, other Committees and the Standards Committee;
- (x) appoint the Chairman and Vice-Chairman of all Regulatory and other Committees of the Council;
- (xi) approve the list of Members to be appointed to outside bodies, as submitted by the Leader of the Council;
- (xii) appoint the substantive and Councillor directors of the Council owned property company;
- (xiii) consider any other business set out in the notice convening the meeting in the order which it appears in the Council summons, however that order may be varied at the discretion of the Chairman or by resolution of the Council.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

3. ORDINARY MEETINGS OF THE COUNCIL

3.1 Timing and Business

Ordinary meetings of the Council will take place in accordance with the annual calendar of meetings. Ordinary meetings will:-

- (i) appoint a person to preside if the Chairman or Vice-Chairman are not present;
- (ii) receive any declarations of interest from Members in accordance with the Members Code of Conduct;
- (iii) receive questions from members of the public;
- (iv) receive questions from Members with pecuniary/prejudicial interests in accordance with Council Procedure Rule 12;
- (v) consider and debate petitions received in accordance with the Petition's Scheme at Part 8 of this Constitution;
- (vi) approve the minutes of the last meeting;
- (vii) receive any announcements from the Chairman;
- (viii) consider any business not otherwise specified in the Council summons which, in the opinion of the Chairman of the Council, in consultation with the Chief Executive, is business of such urgency as to require immediate attention by the Council;
- (ix) receive reports from the Cabinet, the Overview Select Committee, Regulatory and Standards Committees, Working Parties, Working Groups and Panels; and consider any recommendations contained therein;
- (x) consider motions;
- (xi) consider general questions from Members in accordance with Council Procedure Rule 13;
- (xii) receive and consider reports from officers of the Council;
- (xiii) consider any other business set out in the notice convening the meeting, including consideration of proposals from the Cabinet in relation to the Council's budget and policy framework and reports of the Overview Select Committee for debate, in the order in which it appears in the Council summons however that order may be varied at the discretion of the Chairman or by resolution of the Council.

4. SPECIAL MEETINGS OF THE COUNCIL

4.1 Calling Special Meetings

Special meetings of the Council may be called by the Chief Executive, in consultation with the Chairman of the Council and Political Group Leaders.

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

4.2 Business at Special Meetings

Special meetings will:

- (i) appoint a person to preside if the Chairman or Vice-Chairman are not present;
- (i) receive any declarations of interest from Members in accordance with the Members Code of Conduct;
- (ii) receive questions from members of the public;
- (iii) receive questions from Members with pecuniary/prejudicial interests in accordance with Rule 12;
- (iv) approve the minutes of the last meeting;
- (v) receive any announcements from the Chairman;
- (vi) consider any business not otherwise specified in the Council summons which, in the opinion of the Chairman of the Council, in consultation with the Chief Executive, is business of such urgency as to require immediate attention by the Council;
- (vii) consider any other business set out in the notice convening the meeting in the order which it appears in the Council summons however that order may be varied at the discretion of the Chairman or by resolution of the Council.

4.3 Procedure for Debates at Special Meetings

Where the meeting has been called to debate a specific topic or issue, the following procedure will apply:

- (i) Introduction by the Chairman
- (ii) Presentation by invited speaker(s) and/or officers
- (iii) Questions to be responded to by invited speaker(s) and/or officers from:
 - (iv) Members; and
 - (v) any other persons permitted by the Chairman
- (vi) Statements may then be made by:
 - (vii) Members; and
 - (viii) any other persons permitted by the Chairman
- (ix) Debate upon any motions received in accordance with Council Procedure Rule 16 or based on a recommendation from an officer
- (x) Chairman to conclude the debate

The procedure may be varied by a resolution of the Council.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

5. EXTRAORDINARY MEETINGS

5.1 Calling Extraordinary Meetings

Those listed below may request the Chief Executive to call an extraordinary Council meeting:

- (i) the Council by resolution;
- (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.

5.2 Business at Extraordinary Meetings

The summons to an extraordinary meeting of the Council shall set out the business to be considered and no business other than that set out in the summons shall be considered at that meeting.

6. TIME AND PLACE OF MEETINGS

Meetings of the Council will be held at 6pm in the Council Chamber at the Arun Civic Centre, Maltravers Road, Littlehampton, BN17 5LF or at such other time or place as notified in the summons.

7. NOTICE OF AND SUMMONS TO MEETING

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules at Part 6 of this Constitution. At least five clear days before a meeting, the Chief Executive will send a summons to every Member of the Council. 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.

8. CANCELLATION, POSTPONEMENT OR ADJOURNMENT OF MEETINGS

The decision to cancel, postpone or adjourn any meeting of the Council shall be made by the Chairman, in consultation with the Chief Executive or his/her representative.

9. CHAIRMAN OF MEETING

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

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

10. QUORUM

The quorum of a meeting will be one quarter of the whole number of Members. During any meeting, if the Chairman counts the number of Members present and declares that 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 of the Council.

11. QUESTIONS BY MEMBERS OF THE PUBLIC

11.1 Submitting Questions

Members of the public may ask questions of Members of the Cabinet or the Chairman of the Overview Select Committee at meetings of the Council subject to written notice of the question being submitted to the Group Head of Council Advice & Monitoring Officer 5 working days prior to the meeting.

- a) All questions:
- must confirm to whom the question is addressed;
 - must be relevant to matters for which the Council has powers or duties;
 - should be limited to obtaining information or pressing for action; and
 - must not exceed one minute in duration.
- b) Questions may be rejected by the Chief Executive/Chairman if they:
- are not relevant to matters for which the Council has responsibility or which affect the District; or
 - may be defamatory, frivolous or offensive; or
 - are substantially the same as a question put at a meeting in the past six months; or
 - would divulge, or require to be divulged, confidential or exempt information.

11.2 Time Limit for Questions

The time limit for questions by the public will be 15 minutes, although the Chairman has discretion to extend this period.

11.3 Asking Questions at the Meeting

The Chairman will invite questioners to put their questions in the order in which they are received. The questioner may ask only one question at a time. Where they have submitted multiple questions, they will only be able to ask subsequent questions if there is sufficient time remaining.

The Chairman will have discretion to:

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

- a) group together similar questions to be put to the Cabinet Member or Overview Select Committee Chairman; and
- b) respond to the questioner where the same or similar question has been asked before and explain a written answer will be sent to them.

Where the questioner is unable to be present, the Chairman has discretion to:

- ask the Group Head of Council Advice & Monitoring Officer to ask the question on their behalf;
- explain that a written reply will be given to the questioner; or
- decide that the question will not be dealt with.

Any question which cannot be dealt with during the period allowed for public question time will be responded to by written answer.

11.4 Supplementary Questions

If time permits, a questioner who has put a question in person may ask one supplementary question without notice to the Member who replied to his/her original question. The supplementary question must arise directly out of the original question or the reply and shall be limited to one minute's duration.

11.5 Responses

Members will seek to respond to questions as fully as possible but shall not be required to divulge confidential or exempt information. Where a reply cannot be given at the meeting, a written answer will be provided with 10 working days of the meeting and published to the Council's website.

11.6 Records of Questions

A schedule of questions and answers will be maintained and published to the Council's website within 10 working days of the meeting. The minutes of the meeting will record a summary of the questions and answers.

12. QUESTIONS BY MEMBERS WITH PECUNIARY/PREJUDICIAL INTERESTS

A Member with a pecuniary or prejudicial interest may ask a question of Members of the Cabinet or the Chairman of the Overview Select Committee at meetings of the Council using the same criteria as questions by the public, as set out in Council Procedure Rules 11.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

13. QUESTIONS/STATEMENTS BY MEMBERS

13.1 Oral Questions on Reports of the Cabinet and other Committees

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

Each question shall be put and answered without discussion. The Member will have the right to ask a supplementary question which must arise directly out of the original question or the reply. A written answer will be provided if requested by the Member.

13.2 Statements by Members on Reports of the Cabinet and other Committees

A Member of the Council may make a statement, without notice, under an item of report of the Cabinet, Committee or Working Group when that item is being received or under consideration by the Council. The Leader, relevant Cabinet Member, or Chairman of a Committee or Working Group will have the right of reply. No statement or reply shall exceed 5 minutes in duration, except at the discretion of the Chairman.

In the case of statement made by the Leader, Cabinet Member or the Chairman of a Committee or Working Group, at the discretion of the Chairman, a debate may ensue.

13.3 General Questions

Thirty minutes will be allocated at each ordinary meeting of the Council for general questions by Members. The Chairman has discretion to extend the time allowed to sixty minutes if there is a need.

A Member of the Council may ask the Leader, a Cabinet Member or the Chairman of any Committee or Working Group a question, in writing, on any matter in relation to which the Council has powers or duties or which affects the District.

A Member may only ask a question under this Council Procedure Rule if, either:

- (a) he/she has given notice in writing of the question to the Group Head of Council Advice & Monitoring Officer by 12 noon two days before the date of the meeting; or
- (b) where a question relates to a matter of urgency, a Member must seek the agreement of the Chairman of the Council that he/she is prepared to accept the question. If agreement is forthcoming, the content of the

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

question must be given in writing to the Group Head of Council Advice & Monitoring Officer not later than 11am on the day of the meeting.

Questions will be considered in the order they have been received. A Member may ask one question at a time. Where they have submitted multiple questions, they will only be able to ask subsequent questions if there is sufficient time remaining.

Each question will be put and answered without discussion. The question and the written reply by the Member concerned shall be made available to Members of the Council and to the public at the meeting.

The Member will have the right to ask a supplementary question against each question put which must arise directly out of the original question or the reply. This may be responded to by the relevant Member.

Where a reply cannot be given at the meeting to a question put, a written answer will be provided with 10 working days to the Member and any other Members who request it.

14. NOTICES OF MOTION

14.1 Notice

Except for motions which can be moved without notice under Rule 15, written notice of every motion, signed by the Member(s) moving and seconding it, must be delivered to the Chief Executive at least eight clear days prior to the meeting. Clear days means days on which the Council offices are open for business and excludes both the day on which the motion is received and the day of the meeting at which the motion is to be presented.

Once received by the Chief Executive, notices of motion will be dated, numbered in the order in which they were received and published to the Council's website in the agenda for the meeting or in an addendum to the agenda.

14.2 Motions set out in agenda

The Chief Executive shall set out in the summons for every meeting of the Council all motions of which notice has been duly given in the order in which they have been received, unless the Member giving such notice intimated in writing when giving it, that he proposed to move it at some later meeting, or subsequently had withdrawn it in writing.

If notice is given of a motion which, in the opinion of the Chief Executive is out of order, illegal, irregular or improper, he/she shall submit it to the Chairman,

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

and shall not insert it in the summons without his/her agreement. In the event of the motion being considered unacceptable, the Chief Executive shall so inform the Member(s) giving the notice and his/her ruling on this matter will be final.

If notice is given of a motion for a particular meeting and in the opinion of the Chief Executive the agenda for that meeting is already full, or the agenda for the meeting is subject specific and the motion received is not in his view urgent or related to that specific business, the Chief Executive shall submit it to the Chairman and shall not insert it in the summons without the Chairman's agreement. The Chairman's ruling on this matter will be final.

In the event of the Chairman deciding that the motion shall not be inserted in the summons for which it was submitted, the Chief Executive shall so inform the Member(s) who submitted the motion on notice of the date of the meeting to which their motion will be presented. For the avoidance of doubt any decision under this paragraph and the previous paragraph shall be made by the Chairman and his/her ruling will be final.

14.3 Scope

Every Motion shall be relevant to some matter of major significance in relation to which the Council has powers or duties or which affects the District.

14.4 Failure to Move

If a motion set out in the summons is not moved either by the Member who gave notice or by some other Member on his/her behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

14.5 How motions will be dealt with

Upon a motion being moved and seconded:

(a) **Motions to be considered by Council**

If the subject of the motion is a matter that is in the province of the Council, is an urgent matter, or it relates to a district wide issue or multi-ward matter, it shall be dealt with by Council at that Council meeting.

b) **Motions to be referred to Cabinet or a Committee**

If the subject of the motion comes within the province of the Cabinet or any Committee, it shall stand deferred without discussion to:

- the Cabinet or relevant Committee; or
- to such other Committee or Committees as the Council may determine for consideration and report. In the case of doubt, the Cabinet shall consider the motion.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

15. MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:-

- a) to appoint a Chairman of the meeting at which the motion is moved;
- b) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a Committee or Panel or Member arising from an item on the summons for the meeting;
- f) to receive reports or adopt recommendations of the Cabinet, Overview Select Committee, other Committees, or officers and any subsequent motions and amendments arising;
- g) to withdraw a motion;
- h) to amend a motion;
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) to adjourn a meeting;
- m) to suspend a particular Council Procedure Rule;
- n) to amend the procedure for debate at Special Council meetings as set out in Council Procedure Rule 4;
- o) to exclude the public and press in accordance with the Access to Information Rules set out in Part 6 of this Constitution;
- p) to not hear further a Member named under Council Procedure Rule 23; and
- q) to give the consent of the Council where its consent is required by this Constitution.

16. RULES OF DEBATE

16.1 Standing to Speak

When a Member, officer or guest speaks at Full Council they must stand and address the meeting through the Chairman, unless alternative arrangements have been agreed with the Chairman. If more than one person stands, the Chairman will ask one person to speak and the other must sit. Other Members must remain seated whilst another person is speaking unless they wish to make a point of order or a point of personal explanation.

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

16.2 Chairman Standing

When the Chairman stands during a debate any Members, officers or guests speaking at the time must stop and sit down. This meeting must be silent.

16.3 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.

16.4 Secunder's Speech

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

16.5 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes in length without the consent of the Chairman.

This Rule shall not apply when:

- (i) the Leader or relevant Cabinet Member is presenting the annual budget statement and statutory and non-statutory plans to the Council; or
- (ii) the mover of a motion or amendment is making their speech which shall not exceed 10 minutes.

16.6 When a Member May Speak Again

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

- a) to speak once on an amendment moved by another Member;
- b) to move a further amendment if the motion has been amended since he/she last spoke;
- c) if his/her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- d) on a point of order; and
- e) by way of personal explanation.

16.7 Amendments to Motions

- a) An amendment to a motion must be relevant to a motion and will either be:-

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

- i. to refer a subject of debate to the Cabinet or a Committee 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 such omission, insertion or addition of words does not have the effect of negating the motion or recommendation before the Council.

- b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- c) If an amendment is not carried, other amendments to the original motion may be moved.
- d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- e) Any amendment, made without notice, which involves a variation in approved expenditure for which no financial report is available shall, at the discretion of the Chairman in consultation with the Chief Executive, stand referred to the Cabinet for consideration.

16.8 Alteration of Motion

- a) A Member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- b) A Member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- c) Only alterations which could be made as an amendment may be made.

16.9 Withdrawal of Motion

A Member may withdraw a motion which he/she has 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.

16.10 Right of Reply

- a) The Leader or relevant Cabinet Member has a right of reply at the end of the debate in respect of a matter referred to the Council by Cabinet.

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

- b) The relevant Committee Chairman has a right of reply at the end of the debate in respect of a matter referred to the Council by a Committee.
- c) 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.
- d) 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.
- e) The mover of the amendment has no right of reply to the debate on his/her amendment.

16.11 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:-

- a) to withdraw a motion;
- b) to amend a motion;
- c) to proceed to the next business;
- d) that the question be now put;
- e) to adjourn a debate;
- f) to adjourn a meeting;
- g) to exclude the public and press in accordance with the Access to Information Rules set out in Part 6 of this Constitution; and
- h) to not hear further a Member named or to exclude them from the meeting under Council Procedure Rule 23.

16.12 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 Chairman thinks the item has been sufficiently discussed, he/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, the Chairman will give:
 - i. the seconder the right to speak (if he/she reserved their right earlier);

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

- ii. the Leader, relevant Cabinet Member or Committee Chairman the right of reply; and
 - iii. the mover of the original motion the right of reply before putting his/her motion to the vote.
- d) If a motion to adjourn the debate is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.
- e) If a motion to adjourn the meeting is seconded and the Chairman thinks that the remaining business before the meeting cannot be sufficiently discussed on that occasion he/she shall put the adjournment motion to the vote without giving the mover to any motion under discussion his/her right of reply. If the motion for the adjournment is carried, the remaining business shall stand adjourned to a time fixed by the Chairman at the time the meeting is adjourned, or otherwise, to the next ordinary meeting of the Council.

16.13 Point of Order

A Member may raise a point of order at any time. The Chairman will hear them immediately. A point of order may only relate to an alleged breach of these Council Procedure Rules or the law. The Member must indicate the Rule or law and the way in which he/she considers it has been broken. The ruling of the Chairman on the matter will be final.

16.14 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 a 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.

17. PREVIOUS DECISIONS AND MOTIONS

17.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of the Council within the previous six months cannot be moved unless a notice of motion is submitted in accordance with Council Procedure Rule 14 and signed by at least five Members of the Council.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

17.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of the Council in the previous 6 months cannot be moved within a further period of 6 months.

18. VOTING

18.1 Voting on Motions/Recommendations in Part

Whilst it shall be normal practice to vote on a motion or recommendation in its entirety, the Chairman may use his/her discretion to allow a vote to be taken on each constituent part separately if a request is received from a Member.

18.2 Majority

All matters will be decided by a simple majority of those Members voting and present in the room at the time the question was put.

18.3 Chairman's Casting Vote

If there are equal numbers of votes for and against, the Chairman shall have a second or casting vote.

18.4 Show of Hands

Unless a recorded vote is demanded by legislation or a Member requests a recorded vote, the Chairman will take the vote by a show of hands.

18.5 Recorded Vote

A Member may ask for the vote on a particular matter to be recorded before the vote is taken. The names for and against the motion or amendment or those who abstained from voting will be taken down and entered into the minutes. Such a request will be allowed unless the Chairman considers the request frivolous or vexatious.

18.6 Recorded Vote at Council Budget Setting Meetings

At the Budget meeting(s) each year, voting on any motion or amendment relating to the Budget or setting of the Council Tax will be recorded to show whether each Member present voted for or against the motion or amendment or abstained from voting, and entered into the minutes.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

18.7 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.

18.8 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.

18.9 Voting on Appointing the Chairman and Vice-Chairman of the Council

The vote to appoint the Chairman and Vice-Chairman of the Council shall be by ballot.

19 MINUTES

19.1 Signing the Minutes

The Chairman will sign the minutes of the proceedings at the next 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.

19.2 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purpose of paragraphs 41 (1) and (2) of Schedule 12 relating to the signing of minutes.

19.3 Form of Minutes

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

19.4 Minutes included in the Council Agenda

Once the Council agenda has been circulated, any minutes produced after this date will be presented to the next meeting of the Council, with the exception of

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

matters which have been considered by Cabinet, the Overview Select Committee or other Committee that are considered urgent and cannot wait until the next meeting of the Council.

20. RECORD OF ATTENDANCE

All Members present during any official Council meeting shall sign their name in the Attendance Book before the conclusion of the meeting.

21. EXCLUSION OF THE PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 6 of this Constitution or Council Procedure Rule 24.

22 PHOTOGRAPHY, BROADCASTING AND RECORDING OF MEETINGS

The Council supports the principles of openness and transparency in its decision making and allows recording, filming and broadcasting at its meetings that are open to the public. These arrangements will operate in accordance with the Council's Protocol on Filming and Recording of Council Meetings set out in Part 8 of this Constitution.

23 MEMBERS CONDUCT

23.1 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. The Chairman's decision is final.

23.2 A Member shall comply with the adopted Members' Code of Conduct reproduced in Part 6 of this Constitution. Further to the Code of Conduct, a Member must withdraw from a meeting room during the consideration of any item of business in which he/she has a disclosable pecuniary interest.

23.3 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.

23.4 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.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

24 DISTURBANCE BY THE PUBLIC

If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as he/she thinks necessary. The Chairman's decision is final.

24.1 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 may adjourn the meeting for as long as he/she thinks necessary and will order their removal from the meeting room. The Chairman's decision is final.

24.2 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. The Chairman may adjourn the meeting for as long as he/she thinks necessary while the room is cleared. The Chairman's decision is final.

25 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

25.1 Suspension

All of these Council Procedure Rules except Rules 18.6 and 19 may be suspended by motion on notice, or without notice, if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting.

25.2 Amendment

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

26 MEMBERSHIP OF COMMITTEES, SUB-COMMITTEES, WORKING PARTIES, WORKING GROUPS AND PANELS

26.1 Allocation of Seats

In accordance with the provisions of the Local Government and Housing Act 1989 or any regulations made thereunder, the Chief Executive shall determine the number of seats to be allocated to each Political Group on Committees, Sub-Committees, Working Parties, Working Groups and Panels. A schedule confirming this allocation of seats will be retained by the Group Head of Council Advice & Monitoring Officer and may be inspected on request.

PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES

The Leader of each Political Group shall at least 14 days before the Annual Council Meeting (or as soon as practicable in an election year) supply a list of his/her Group's membership of each Committee, Sub-Committee, Working Party, Working Group and Panel. Appointments will then be confirmed by the Annual Council Meeting.

26.2 Changes to Memberships

If at any time following an election there is a change to the number of Members in each Political Group, the Chief Executive shall review the allocation of seats and inform the Leader of each Political Group of any changes required.

Permanent changes in the membership of Committees, Sub-Committees, Working Parties, Working Groups and Panels must be notified by the relevant Group Leader or their deputy, in writing, to the Group Head of Council Advice & Monitoring Officer at least 24 hours before the relevant meeting. Such changes will take immediate effect and then be reported to the next Council meeting for information.

26.3 Changes to Membership from a Vacancy on the Council

Where a vacancy occurs on the Council during the four year term of office, that seat shall not be filled by a substitute Member until an election has been held for the vacancy and any changes to the allocation of seats have been agreed.

Once the allocation of seats has been reviewed by the Chief Executive, any changes to memberships notified by the relevant Group Leader will take immediate effect and will then be reported to the next Council meeting for information.

27. SUBSTITUTION

Where a Member of a Committee, Sub-Committee, Working Party, Working Group or Panel is unable to attend a meeting, then the relevant Group Leader, or their deputy, may nominate a substitute Member provided that notice, in writing, is made to the Group Head of Council Advice & Monitoring Officer by 10am on the day of the meeting. The substitute Member will cover that meeting only.

Where a Committee operates designated substitute arrangements, then the deadline for written notification by the relevant Group Leader or their deputy is prior to the start of the meeting.

**PART 5 – RULES OF PROCEDURE (MEETINGS)
SECTION 1 – COUNCIL PROCEDURE RULES**

28. REPRESENTATION ON OUTSIDE BODIES

28.1 Nominations to Outside Bodies

The Council acts as a representative on a number of outside bodies and each year the Chief Executive will provide a list of vacancies to the Leaders of all Political Groups so they can seek the views of their Members on which body they would wish to be nominated. All nominations received will be reported to the Leader of the Council.

The Leader of the Council shall, after consulting with the Leaders of all other Political Groups, be responsible for nominating Members to fill any vacancies on outside bodies. A list of the Members nominated shall be submitted to the Annual Council Meeting for approval.

28.2 Casual Vacancies on Outside Bodies

Any vacancies that occur during the municipal year will be reported to the Leader of the Council to make a nomination to the next ordinary meeting of the Council, following consultation with the Leaders of all other Political Groups.

29. SUBSTITUTION OF THE CHIEF EXECUTIVE

If the Chief Executive is unavailable or unable to act for the purpose of any of these Council Procedure Rules, then the Group Head of Council Advice & Monitoring Officer may substitute for him/her.