COUNCIL PROCEDURE RULES

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1. ANNUAL MEETING OF THE COUNCIL

1.1 Timing and business

The Annual Meeting will normally take place in May, following May annual elections.

The Annual Meeting will:

(a) elect a person to preside if the Mayor is not present;

(b) elect the Mayor;

(c) elect the Deputy Mayor;

(d) approve the minutes of the last meeting;

(e) receive any announcements from the Mayor, Leader and/or Chief Executive;

(f) elect the Council Leader;

(Any political party represented on the Council may appoint a Leader and a Deputy Leader of that party from time to time and, on notification of the name of such persons in writing to the Chief Executive, such persons shall be so recognised by the Council.)

(h) appoint such committees, sub-committees etc. as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive Committee functions (as set out in the tables in Part 3 of this Constitution);

(i) consider any business set out in the notice convening the meeting.

1.2 Selection of Councillors on Committees and Outside Bodies

At the Annual Meeting, the Council will:

(a) decide which committees to establish for the municipal year;

(b) decide the size and terms of reference for those committees;

(c) decide, where appropriate, the allocation of seats to political groups in accordance with the political balance rules;

(d) receive nominations of councillors to serve on each outside body and appoint to those outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Executive Committee; details of ‘ex officio’ appointments will be set out on the agenda.

2. ORDINARY MEETINGS

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's Annual Meeting.

Ordinary meetings will:

(a) elect a person to preside if the Mayor and Deputy Mayor 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 Mayor and/or the Head of Paid Service;

(e) receive any announcements from the Leader;

(f) deal with any business from the last Council meeting;

(g) deal with questions on notice from members of the Council, in the order in which they have been received;

(h) ~~receive minutes and/or reports from the Audit & Governance Committee~~;

(i) consider reports and/or recommendations from the Executive Committee including any proposals in relation to the Council's Budget and Policy Framework;

(j) receive minutes from the Executive Committee for information only and receive and answer questions on matters of clarification;

(k) ~~consider and (where appropriate) respond to recommendations from the Standards Committee~~;

(l) consider recommendations from and (where appropriate) respond to any other Committees of the Council;

(m) receive and consider reports from officers of the Council;

(k) receive reports about the business of joint arrangements and external organisations and answer questions on matters of clarification;

(n) consider motions (in the order in which they have been received);

(o) consider any other business specified in the summons to the meeting;

(p) to carry out all other matters, by law, which must be reserved to the Council;

(q) to consider urgent items of business not specified on the summons to the meeting pursuant to paragraph 14 below;

(r) other than items under sub-paragraphs (a) – (c), the order of business may be varied by the Mayor or by Council resolution.

3. EXTRAORDINARY MEETINGS

Calling extraordinary meetings

3.1 Any five members of the Council may sign a requisition and present it to the Mayor requesting him/her to convene an extraordinary meeting of the Council subject to paragraph 3.3 below.

3.2 A requisition presented under paragraph 3.1 must include details of the business it is proposed should be considered at the extraordinary meeting. In any event that business should:

(i) be about a matter for which the local authority has a responsibility or which affects the Borough of Redditch;

(ii) not be defamatory; frivolous or offensive;

(iii) not be substantially the same as a question which has been put at a meeting of the Council in the past six months;

(iv) relate to functions which are the responsibility of the full Council or the committee or sub-committee to which the question is directed;

(v) be of a strategic nature; or

(vi) relate to the Budget and Policy Framework; or

(vii) relate to functions undertaken by the Council; or

(viii) not be business which could more appropriately be dealt with by an officer.

3.3 On receiving a requisition under paragraph 3.1 the Mayor may:

(a) convene an extraordinary meeting of the Council to take place on a date not later than 14 days after the date of requisition, or on such other date as agreed between the Mayor and the signatories to the requisition; or

(b) in consultation with the Chief Executive and Monitoring Officer, refer the matter to the next available meeting of the Council if the Mayor is of the opinion that the business specified in the requisition is not so urgent as to require the calling of an extraordinary meeting; or

(c) in consultation with the Chief Executive and Monitoring Officer refer the matter to the next available meeting of the Executive or other committee if the Mayor is of the opinion that the business specified in the requisition could be more appropriately be dealt with in that manner; or

(d) decline to convene an extraordinary meeting if the Mayor, in consultation with the Chief Executive and Monitoring Officer, considers that the business specified in the requisition does not meet the requirements of paragraph 3.2.

3.4 The Chief Executive may call Council meetings in addition to ordinary meetings.

3.5 Those listed below may also request the Chief Executive to call Council meetings in addition to ordinary meetings:

(a) the Council by resolution;
(b) the Mayor of the Council;
(c) the Monitoring Officer.

3.6 **Business**

Extraordinary meetings of the Council will consider only such business as is specifically stated on the agenda for the meeting. Extraordinary meetings will not consider motions (whether on Notice or without) or Questions from Members (whether or Notice or without) but may consider minutes of the previous Council meeting, Executive Committee or other Committee meetings or such other items of business as may be appropriate in the interests of efficient administration of Council business.

4. TIME AND PLACE OF MEETINGS

Council and Committee meetings will normally commence at 7.00 pm and be held at the Town Hall.

Any variations to the above will be determined by the Chief Executive, in consultation with the Mayor / Chair and notified in the summons for the meeting.

5. NOTICE OF AND SUMMONS TO MEETINGS

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. Except in cases of exceptional urgency, 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.

6. CHAIRING THE MEETING

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

6.2 Where these rules provide for a maximum time to be devoted to an item or speech or other process, the Mayor may, if the Mayor and the majority of the

members present agree, extend that time if it is felt appropriate in the interests of effective conduct of Council business.

6.3 Any ruling of the Mayor shall not be challenged.

7. QUORUM

7.1 Except as stated below, the quorum of a meeting will be at least one quarter of the whole number of members. During any meeting if the Mayor counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

7.2 A motion to suspend any of those Rules set out in Article 16.2 in Part 2 of this Constitution will not be moved with or without notice unless a majority of the number of Councillors present agree.

7.3 Rule 7.1 above shall not apply to committees or sub-committees whose terms of reference or Procedure Rules specify the quorum applicable to a meeting of that committee or sub-committee.

8. ADVICE FROM OFFICERS

Whenever the Chief Executive, the Section 151 Officer or the Monitoring Officer considers it appropriate to give advice to the Council, they shall be at liberty to do so and the Council shall hear such advice.

9. QUESTIONS BY MEMBERS / MEMBERS OF THE PUBLIC

On reports of the Executive Committee or committees

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

Questions on notice

9.2 Subject to Rule 9.3, a member of the Council or member of the Public may ask:

- the Mayor;
- a member of the Executive Committee; or
- the Chair of any committee or sub-committee

a question on any matter in relation to which the Council, Executive Committee, Committee or sub-committee has powers or duties or which affects the Borough of Redditch.

The member who has been asked the question may, if appropriate, refer it to another member for answer.

A question shall not be regarded as affecting the Borough of Redditch

(a) if it is one which relates to a national issue and would have no more effect on the Borough of Redditch than it would on any other area; or

(b) if it relates to actions taken by or statements made by a body or individual connected with the Borough of Redditch, but those actions or statements are not specifically related to the Borough.

For the purpose of avoiding potential conflict of interest, other than in exceptional circumstances, which shall be determined by the Chief Executive Officer, in consultation with the Mayor, no Questions on Notice are permitted for any of the 'exceptional' meetings of the Council, to include: the Annual Meeting, the Budget-setting meeting in February each year, other one-off extraordinary meetings of the Council (unless called specifically for the purpose of considering such Petition or Deputation), or meetings which fall within a formal Election period.

Notice of questions

9.3 A person may only ask a question under Rule 9.2 if either:

(a) he/she has given at least 5 clear working days' notice of the question to the Monitoring Officer; or

(b) if the question relates to urgent matters, he/she has the consent of the Mayor and the member to whom the question is to be put, and the content of the question is given to the Chief Executive not less than 2 hours before the start of the meeting.

Questions which may not be asked

9.5 The Chief Executive may reject a question

(a) if it is not about a matter for which the local authority has a responsibility or which affects the Borough of Redditch;

(a) is defamatory; frivolous or offensive;

(b) is substantially the same as a question which has been put at a meeting of the Council in the past six months;

(d) does not relate to functions which are the responsibility of the full Council or the committee or sub-committee to which the question is directed;

(e) it is not of a strategic nature;

(f) it does not relation to functions undertaken by the Council;

(g) it relates to specific planning or licensing applications; or

(h) the question could more appropriately be dealt with by an officer.

Reading the question at the meeting

9.6 The question will be read out at the meeting by the person who has asked the question or by another person on his/her behalf.

Alternatively, they may refer to the question as printed in the agenda papers.

Response

9.7 An answer may take the form of:

(a) a direct oral answer;

(b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or

(c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Supplementary question

9.8 A person asking a question under rule 9.2 may, without notice, ask one supplementary question of the member to whom the first question was addressed. The supplementary question must arise directly out of the original question or the reply.

Time limit for questions

9.9 At any meeting not more than 5 minutes per question, and 15 minutes in total, shall be devoted by the Council to the asking and answering of questions under this rule, provided that the Mayor may at his or her discretion extend the time if the Mayor and the majority of those present agree. Any questions remaining unanswered shall (unless the person who gave notice of the question has indicated that it may be answered in writing) be dealt with at the next ordinary meeting of the Council, in the order in which they would have been dealt with at the original meeting.

10. ANNOUNCEMENTS

10.1 Subject to the Mayor's discretion, each person entitled to make an announcement may speak for a total of five minutes.

10.2 Announcements must not relate to items on the agenda or exempt or confidential items.

10.3 In respect of the Leader's announcements only, members may ask questions by way of clarification. Up to five minutes in total may be devoted to members' questions to the Leader on his/her announcements.

11. MOTIONS ON NOTICE

Notice

11.1 Except for procedural motions which can be moved without notice under Rule 12, written notice of every motion shall be delivered to the Monitoring Officer by post or by electronic means not later than close of business 9 clear working days before the date of the meeting.

11.2 No member shall be a signatory to more than one Notice of Motion on each agenda. Each Notice of Motion must clearly state the name of the Member submitting it.

11.3 The Monitoring Officer will maintain a record of all Notices received.

Motion set out in agenda

11.4 Motions will be placed on the agenda and dealt with in the order in which they were received, provided that where several Notices of Motion are considered by the Monitoring Officer to address a similar subject, they shall be grouped together.

Scope

11.5 Motions must be about matters for which the Council has a responsibility or which affect the Borough of Redditch.

A motion shall not be regarded as affecting the Borough of Redditch if

(a) it is one which relates to a national issue and would have no more effect on the Borough of Redditch than it would on any other area; or

(b) it relates to actions taken by or statements made by a body or individual connected with the Borough of Redditch, but those actions or statements are not specifically related to the Borough.

Rejection of Notices of Motion

11.6 The Monitoring Officer may reject a Notice of Motion if:

(a) the scope of the motion exceeds that set out in Rule 11.5 above

(b) it is defamatory, frivolous or offensive,

(c) it is substantially the same as one submitted within the previous six months;

(d) it requests the Council to make a decision which is outside the powers or responsibility of the full Council;

(e) it is not of a strategic nature;

(f) it does not relate to functions undertaken by the Council.

(For the purpose of avoiding potential conflict of interest, other than in exceptional circumstances, which shall be determined by the Chief Executive Officer, in consultation with the Mayor, no Motions on Notice are permitted for any of the 'exceptional' meetings of the Council, to include: the Annual Meeting, the Budget-setting meeting in February each year, other one-off extraordinary meetings of the Council (unless called specifically for the purpose of considering such Petition or Deputation), or meetings which fall within a formal Election period.)

Deferment of Motions

11.7 If the motion is about a matter which, in the opinion of the Mayor on taking the advice of the Chief Executive and/or the Monitoring Officer, should be dealt with in conjunction with a report by an officer, it shall automatically stand deferred until such time as that report can be presented to the Council, provided that no motion shall stand deferred for more than one ordinary meeting of the Council. The Council will be informed on the agenda of the contents of any motions standing deferred under this paragraph.

Referral of Motions

11.8 The Monitoring Officer will, in consultation with the member submitting the Notice of Motion, the Leader, the Chief Executive and the Mayor, determine whether the motion will be placed on the agenda for Council or whether it might more appropriately be referred to the Executive Committee or another Committee for determination, or to an officer for further action.

11.9 If a Notice of Motion is so referred to Executive Committee or to a committee, it shall be placed on the agenda for the next available meeting of that Executive Committee or that committee

11.10 If a Notice of Motion is referred to an officer, the Monitoring Officer will inform the Council on the agenda of the contents of any Notice of Motion referred to the Executive Committee or a committee or an officer and, where appropriate,

of the timescales within which the officer will respond to the author of the Notice of Motion.

11.11 The Monitoring Officer will inform the member who submitted the Notice of Motion what action has been taken pursuant to Rules 11.6 to 11.10 above.

Time Limit for Consideration of Motions on Notice

11.12 At each meeting up to one hour shall be allowed for consideration of all Motions on Notice. This may only be exceeded with the agreement of the Council.

12. PROCEDURAL MOTIONS WITHOUT NOTICE

The following procedural motions may be moved without notice:

(a) to appoint a Chair for the meeting at which the motion is moved;

(b) in relation to the accuracy of the minutes;

(c) to change the order of business in the agenda;

(d) to refer something to an appropriate body or individual;

(e) to appoint a committee or member arising from an item on the summons for the meeting;

(f) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;

(g) to withdraw a motion;

(h) to amend a motion;

(i) to proceed to the next business;

(j) that the question be now put to the vote;

(k) to adjourn a debate;

(l) to adjourn a meeting;

(m) to suspend a particular council procedure rule;

(n) to exclude the public and press in accordance with the Access to Information Rules;

(o) to not hear further a member named under Rule 18.3 or to exclude them from the meeting under Rule 18.4; and

(p) to give the consent of the Council where its consent is required by this Constitution.

13. MOTIONS - RULES OF DEBATE

No speeches until motion seconded

13.1 Until the mover has moved a proposal and explained the purpose of it and the proposal has been seconded no other member may speak on the motion.

Right to require motion or amendment in writing

13.2 Unless Notice of the Motion has already been given, the Mayor may require any procedural motion or any amendment to be written down and handed to him/her before it is discussed.

13.3 Seconder's speech

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

13.4 Content and length of speeches

(a) Speeches must be directed to the question under discussion or to a personal explanation or point of order.

Length of speeches shall be in accordance with the following guidelines:

4 minutes – standard duration
5 minutes – mover of Motion / summing up.

Significant variation of these timings shall not be permitted without the consent of the Mayor and a majority of those present.

13.5 When a member may speak again

A member who has spoken on a motion (including the mover and seconder) may not speak again whilst it is the subject of debate, except:

(a) to move an amendment

(b) to speak once on an amendment moved by another member;

(c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);

(d) in exercise of a right of reply;

(e) on a point of order; and

(f) by way of personal explanation, or

(g) to give notice of a further amendment.

13.6 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 add others; or

(iv) to add words;

so long as the effect of (ii) to (iv) is not to negate the motion (in other words the same outcome could be achieved by voting against the Motion).

(b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

(c) If an amendment is not carried, other amendments to the original motion may be moved.

(d) If an amendment is carried, the amended motion takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

(e) After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

13.7 **Alteration of motion**

(a) An alteration to a motion must be either:

(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 add others;

(iv) to add words;

so long as the effect of (ii) to (iv) is not to negate the motion (in other words the same outcome could be achieved by voting against the motion).

(b) A motion may be altered before it has been moved by the Member who submitted the motion (or another Member on his/her behalf) if the majority of those present agree.

(c) Any motion may be altered after it has been moved and seconded by the mover of the motion if both the seconder and the majority of those present agree.

13.8 **Withdrawal of motion**

A member may withdraw a motion which he/she has moved. No member may speak on the motion after it has been withdrawn.

13.9 **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.

13.10 **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) to proceed to the next business;
(d) that the question be now put to the vote;
(e) to adjourn a debate;
(f) to adjourn a meeting;
(g) to exclude the public and press in accordance with the Access to Information Rules; and
(h) to not hear further a member named under Rule 19.3 or to exclude them from the meeting under Rule 19.4.

13.11 **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 to the vote;
    (iii) to adjourn a debate; or
    (iv) to adjourn a meeting.

(b) If a motion to <u>proceed to next business</u> is seconded and the Mayor 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 <u>question now be put</u> to the vote is seconded and the Mayor thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give

the mover of the original motion a right of reply before putting his/her motion to the vote.

(d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

13.12 **Point of order**

A member may raise a point of order at any time. The Mayor will hear him/her 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 he/she considers it has been broken. The ruling of the Mayor on the matter will be final and will not be open to discussion.

13.13 **Personal explanation**

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member at the same meeting which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final and will not be open to discussion.

13.14 ***'*Point of information'**

A 'Point of information' is effectively a request by a Member to speak again and will therefore be entertained only at the Mayor's discretion at an appropriate point during a debate. The ruling of the Mayor on this matter will be final and will not be open to discussion.

14. CONSIDERATION OF RECOMMENDATIONS FROM EXECUTIVE COMMITTEE AND REPORTS

14.1 Each report or recommendation from Executive Committee will be presented by the Leader, or other member of the Executive Committee.

14.2 The member of the Executive Committee presenting the report or recommendation may, with the consent of the Mayor, respond to all questions raised or points made during the debate.

14.3 The member of the Executive Committee presenting the report or recommendation has a right to reply at the end of the debate on the recommendation immediately before it is put to the vote.

14.4 The member of the Executive Committee presenting the report or recommendation may alter or amend the recommendation if the majority of

members present agree, provided such alteration or amendment is one which could be made as an amendment to a motion under Rule 13.6.

14.5 An amendment to a report or recommendation from Executive Committee may be made provided such amendment is one which could be made as an amendment to a motion under Rule 13.6 and the procedure set out in Rule 13 insofar as it applies to amendments to motions shall apply to amendments to recommendations from Executive Committee.

Speeches shall be subject to the standard timings indicated at Rule13.4 above.

Resolved Items

8) Matters already resolved by the Executive or other Committee(s) are received by the Council for information only and the only aspect of the minutes that can be discussed is their accuracy or questions of clarification.

15. PREVIOUS DECISIONS AND MOTIONS

Motion to rescind a previous decision

A motion, the effect of which is to rescind a decision made at a meeting of Council within the past six months, cannot be moved unless the Notice of Motion is signed by at least 7 members of the Council.

16. URGENT ITEMS

Where there is a need to consider items of urgent business which are not specified in the summons to meeting, the Member wishing to raise the same shall before the commencement of the meeting discuss the matter with the Mayor, the Leader, the Chief Executive and the Monitoring Officer and their collective decision as to whether to consider the item shall be conclusive.

17. VOTING

Majority

17.1 Except where the 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 matter was put.

17.2 Changes to the Constitution shall be decided by a majority of the whole number of members present.

Mayor's casting vote

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

Show of hands

17.4 Unless a recorded vote is demanded under Rule 17.5, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

Named vote

17.5 If any member present at the meeting demands it, the names for and against the matter to be decided or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a Named Vote must be made before the Mayor calls for a show of hands.

17.6 In the interests of the efficient conduct of the meeting the Mayor shall decide how such a demand shall be administered. The ruling of the Mayor shall be final and not subject to debate or discussion.

17.7 Immediately after any vote is taken on a budget or Council Tax decision at a budget decision meeting of the Council, the names of those who voted for or against the motion or abstained shall be recorded.

17.8 **Right to require individual votes to be recorded**

Where any individual 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 matter or abstained from voting.

17.9 **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. MINUTES

Signing the minutes

18.1 The Mayor will sign the minutes of the proceedings at the next suitable meeting. The Mayor will move that the minutes of the previous meeting be signed as a correct record. The only aspect of the minutes that can be discussed is their accuracy.

No requirement to sign minutes of previous meeting at extraordinary meeting

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

Form of minutes

18.3 Minutes will contain all motions and amendments in the form and order the Mayor put them to the vote.

19. EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 5 of this Constitution or Rule 21 (Disturbance by Public).

20. MEMBERS' CONDUCT

Respect for Chair

20.1 When a member speaks at full Council he/she must address the meeting through the Mayor unless the Mayor agrees or directs otherwise.

20.2 Whenever the Mayor speaks during a debate, a member then speaking, and the other members of the Council, shall be silent.

Member not to be heard further

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

Member to leave the meeting

20.4 If the member continues to behave improperly after such a motion is carried, the Mayor or another member 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.

General disturbance

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

21. DISTURBANCE BY PUBLIC

Removal of member of the public

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

Clearance of part of meeting room

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

22. PUBLIC INVOLVEMENT IN COUNCIL MEETINGS

Public Speaking

22.1 Public speaking shall be permitted at meetings of the Audit, Governance and Standards Committee, Council, Executive Committee, Parent Licensing Committee and O&S Committee, Planning Committee on applications and in quasi judicial meetings, such as those of the Licensing Sub-Committee or Appeals Panels, in accordance with the various separate procedures currently approved by the Council, as appropriate to each meeting.

(For the purpose of avoiding potential conflict of interest, other than in exceptional circumstances, which shall be determined by the Chief Executive Officer, in consultation with the Mayor, no Public Involvement shall be permitted for any of the 'exceptional' meetings of the Council, to include: the Annual Meeting, the Budget-setting meeting in February each year, other one-

off extraordinary meetings of the Council (unless called specifically for the purpose of considering such Petition or Deputation), or meetings which fall within a formal Election period.)

22.2 Petitions shall be presented, and deputations shall be received, in the order in which notice of them is received by the Proper Officer.

Presentation of Petitions at Council Meetings

22.3 Petitions may be presented at a meeting of the Council in accordance with the Council's approved Petitions protocol.

22.4 Petitions may be considered in conjunction with the Council's arrangements for Deputations, detailed separately below.

Unless the Mayor decides otherwise, not more than 15 minutes will be allowed to deal with all Petitions presented at a given Council meeting.

Hearing of Deputations

22.5 Any person may ask that a deputation be received by a meeting of the Council. Such a request shall be made to the Chief Executive at least 9 clear working days before the meeting. The person making the request shall indicate the matter to which the request relates, the number (which shall not be more than five), of names and addresses of the persons who will form the deputation, and the member or members of the deputation who will speak for them.

For the purposes of speaking to make a deputation at a meeting of Council, speakers may address Council by one of the options below:-

- By attending in person and addressing the committee verbally;
- By joining the meeting virtually by video link and addressing the committee verbally; or
- By providing a written statement in advance of the meeting to be read out by an officer (such statement to be provided at least 9 working days before the meeting).

22.6 On being called by the Mayor, the person or persons speaking for the deputation may make such remarks as he/she or they think fit, (provided that the remarks shall relate to the matter indicated when the request was made, and that the remarks do not constitute a personal attack upon any person). The person or persons speaking for the deputation shall be heard in silence. Alternatively, the written statement of the speaker will be read out by an officer.

22.7 Members of the Council may ask questions to the members of the deputation who are present in the meeting either physically or virtually. Such questions

shall be asked and answered without discussion. Unless the Mayor decides otherwise, not more than 15 minutes will be allowed to deal with all Deputations at a given Council meeting.

23. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

Suspension

23.1 All of these Council Rules of Procedure except Rule 17.7 and 18.2 may be suspended by motion on notice or without notice if a majority of the number of members of the Council present agree. Suspension shall last until such time as the meeting agrees to reinstate the suspended rule(s), or the end of the meeting, whichever is the earlier. The advice of the Chief Executive Officer and/or Monitoring Officer shall be considered before any such motion is put to the vote.

Amendment

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

24. APPLICATION TO COMMITTEES AND SUB-COMMITTEES

All of the preceding Council Rules of Procedure apply to meetings of full Council. None of the rules apply to meetings of the Executive Committee. All of the preceding Rules except Rules 1-3, 10, 14, 15, 20.1, 20.2 and 22 apply to meetings of committees and sub-committees. Rules 24 - 26 shall apply only to meetings of committees and sub-committees.

25. ELECTION OF CHAIRS AND VICE-CHAIRS OF COMMITTEES

25.1 Election of Chairs and Vice-Chairs following Annual Meeting of the Council

Committee Chairs and Vice-Chairs will normally be appointed at the Council's annual meeting.

If for any reason this is not possible, every Committee will, at its first meeting following the Annual Meeting of the Council, before proceeding to any other business, elect a Chair and Vice-Chair for the municipal year, in whose absence from a particular meeting, a Chair for that meeting may be appointed.

25.2 Vacancy in Office of Chair or Vice-Chair of a Committee

In the event of a vacancy arising in the office of Chair or Vice-Chair of a committee, the committee will at its next meeting following the declaration of the vacancy appoint a member to fill the vacancy for the remainder of the municipal year.

26. EXTRAORDINARY MEETINGS OF COMMITTEES

The Chair of a committee may summon an extraordinary meeting of the committee at any time. An extraordinary meeting shall also be summoned on the requisition in writing of a quarter of the members of the committee. The summons shall set out the business to be considered at the extraordinary meeting, and no other business than that set out shall be considered at that meeting.

27. APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES

27.1 When a member of the Council is unable to attend a particular meeting of a committee or sub-committee, he/she may be permitted to appoint another Member to attend the meeting as his/her substitute subject to any specific procedural rules, or required training needs, applying to the various specific meetings (Committee Terms of Reference at Part 3 of the Constitution provide the definitive guidance).

27.2 Substitute members will normally have all the powers and duties of any ordinary member of the committee (subject to the formal Committee Terms of Reference at Part 3).

27.3 Substitute members may attend meetings in that capacity only:

(a) where the ordinary member will be absent for the whole of the meeting and his/her consent has been expressly given; and

(b) after notifying the Head of Legal, Equalities & Democratic Services, or his/her representative, before the commencement of the meeting of the intended substitution.

28. CALCULATION OF TIME

“Working day” shall not include a Saturday, Sunday, Bank Holiday, public holiday or other day on which the Town Hall is closed.

“Clear day" shall not include the date on which notice is given, or the date of the meeting itself.