

COUNCIL PROCEDURE RULES

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## **COUNCIL PROCEDURE RULES**

### **1. ANNUAL MEETING OF THE COUNCIL**

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.

The annual meeting will:

- (i) elect a person to preside if the Chairman of Council is not present;
- (ii) elect the Chairman of Council;
- (iii) elect the Vice-Chairman of Council;
- (iv) approve the minutes of the last meeting;
- (v) receive any announcements from the Chairman;
- (vi) elect the leader;
- (vii) appoint at least one Overview and Scrutiny Committee, a Standards Committee, an Audit and Governance Committee and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions as set out in Part 3, Table 1 of this Constitution;
- (viii) appoint Chairmen and Vice-Chairmen to those bodies;
- (ix) agree the scheme of delegation excluding delegation of executive functions which are the responsibility of the Leader of Council;
- (x) approve a programme of ordinary meetings of the Council for the year;
- (xi) consider any business set out in the notice convening the meeting;
- (xii) receive a work programme for the Executive and a joint work programme for Overview and Scrutiny Committees for the ensuing year;
- (xiii) be notified of Group Leaders and Deputies and Group representatives on relevant Committees;
- (xiv) to debate and respond to petitions where the number of signatures meets or exceeds the trigger level contained in the Council's petitions scheme; and
- (xv) be notified by the Leader of the Council of appointments to the Cabinet, on the establishment of Cabinet Committees, delegation of executive responsibilities to Cabinet members and officers and appointments to outside organisations carrying out executive functions.

## **1.2 Selection of Councillors on Committees and Outside Bodies**

At the annual meeting, the Council will:

- (i) decide which committees to establish for the municipal year excluding those committees which are the responsibility of the Leader of Council;
- (ii) decide the size and terms of reference for those committees;
- (iii) decide the allocation of seats to political groups in accordance with the political balance rules;
- (iv) receive nominations of councillors to serve on each committee and outside body excluding those committees and outside bodies which are the responsibility of the Leader of the Council; and
- (v) appoint to those committees and outside bodies except where such appointments are exercisable only by the executive.

## **2. ORDINARY MEETINGS**

**2.1** Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (i) elect a person to preside if the Chairman and Vice-Chairman are not present;
- (ii) approve the minutes of the last meeting;
- (iii) receive any declarations of interest from members;
- (iv) receive any announcements from the Chairman, Leader of the Council, members of the Executive;
- (v) receive questions from, and provide answers to, the public and members of the Council in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting;
- (vi) receive reports from the Leader of the Council on the appointment of a Deputy Leader, the Cabinet, Cabinet Committees, Responsibilities of Cabinet members, appointments to outside organisations which are the responsibility of the Executive and delegation of Cabinet functions to officers;
- (vii) receive a report from the Leader of the Council on any delegation of executive functions to Joint Committees and local Committees;
- (viii) receive written reports from the Leader, Chairman of Overview and Scrutiny Committee and each of the Portfolio Holders and receive questions and answers on any of those reports or any matters falling within their area of responsibility;
- (ix) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;

- (x) consider motions;
- (xi) receive questions in the following order:
  1. Public Questions
  2. Questions under Notice by Councillors
  3. Questions by Councillors **to the Leader of Council, Cabinet members and the Chairman of the Overview and Scrutiny Committee on written reports submitted under Rule 12.6 and on questions without notice on other matters submitted under Rules 12.8 & 12.9.**
- (xii) consider any other business specified in the summons to the meeting, including consideration of proposals from the executive in relation to the Council's budget and policy framework and reports of the Overview and Scrutiny Committees for debate, including annual reports for both Overview and Scrutiny Committees and the Executive on their activities in April of each Council year;
- (xiii) any matter of public concern allocated to any ordinary Council meeting for the purpose of debate;
- (xiv) deal with any items of business deemed by the Chairman as urgent business in accordance with Section 100B(4) of the Local Government Act 1972.

## **2.2 State of the District Debates**

### **(i) Calling of debate**

The Leader will call a State of the District debate annually on a date and in a form to be agreed with the Chairman.

### **(ii) Form of debate**

The Leader will decide the form of debate, with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the State of the District debate.

### **(iii) Results of debate**

The results of the debate will be disseminated as widely as possible within the community and to agencies and organisations in the area; and considered by the Leader in proposing the budget and policy framework to the Council for the coming year.

## **2.3 Single Issue Council Meetings**

The Leader may, from time to time, call for a Council meeting to be held dealing with a single issue of critical importance to the residents of the District. The normal rules of debate will apply in the case of 'single issue' Council meetings.

### **3. EXTRAORDINARY MEETINGS**

#### **3.1 Calling Extraordinary Meetings**

Those listed below may request the Proper Officer to call Council meetings in addition to ordinary meetings:

- (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.

#### **3.2 Business**

An extraordinary meeting of the Council shall transact the business set out in the agenda but shall exclude motions under Procedure Rule 13.

### **4. TIME AND PLACE OF MEETINGS**

Meetings of the Council shall be held at the Civic Offices, High Street, Epping at 7.30 p.m. or at such other time or venue as the Chairman of the Council may determine in consultation with the Chief Executive. All business at Council meetings shall be completed by 10.00 p.m.

### **5. CANCELLATION OF MEETINGS**

The decision to cancel any meeting of the Council shall be made by the Chairman in consultation with the Chief Executive (or his representative). In circumstances where a meeting has to be cancelled for reasons which are outside the Council's control at short notice, the decision to cancel shall be made no later than 2 hours before the commencement of the meeting and notified to all Councillors and other interested persons as soon as possible thereafter.

### **6. NOTICE 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. At least five clear days before a meeting, one or both of the Joint Chief Executives will send a summons signed by him or them by post to every member of the Council, leave it at their usual place of residence or posted or delivered to some other address that a member may notify in writing. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

### **7. CHAIRMAN OF MEETING**

The person presiding at the meeting may exercise any power or duty of the Chairman. Where these rules apply to Committee and Sub-Committee meetings, references to the Chairman also include the Chairman of Committees, Sub-Committees, Boards and Panels.

## **8. 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 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.

## **9. INTERESTS**

(1) Any member of the Council who has registered a disclosable pecuniary interest or has a pending notification of such interest in any items of business to be considered by the authority, must withdraw from the Council Chamber (or other meeting room) including the public gallery during the whole consideration of that item except if he or she is permitted to remain as a result of a dispensation.

(2) Such requirements shall also apply to any Cabinet members with a disclosable pecuniary interest (including a pending notification) who shall be debarred from determining any matter which they would otherwise have dealt with as a portfolio holder under delegated authority.

(3) Where a member of the Council has not registered such an interest or does not have a pending notification, they shall declare the existence and nature of that interest and withdraw from the meeting during discussion of any relevant item of business.

## **10. DURATION OF MEETING**

(1) All business of the Council requiring to be transacted in the presence of the press and public shall be completed by 10.00 p.m. at the latest.

(2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.

(3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

## **11. QUESTIONS BY THE PUBLIC**

### **11.1 General**

Members of the public may ask questions of the Leader, Chairman of Overview and Scrutiny Committee or any Portfolio Holder at ordinary meetings of the Council.

## **11.2 Order of Questions**

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

## **11.3 Notice of Questions**

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive at least 4 working days before the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put.

## **11.4 Number of Questions**

At any one meeting no person may submit more than two questions and no more than two such questions may be asked on behalf of one organisation.

## **11.5 Scope of Questions**

The Chief Executive may reject a question if it:

- (a) is not about a matter for which the local authority has a responsibility or which affects the District;
- (b) is defamatory, frivolous or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (d) requires the disclosure of confidential or exempt information.

## **11.6 Record of Questions**

The Chief Executive will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection. Copies of all questions will be circulated to all members on the agenda for the relevant Council meeting, which will be made available to the public attending the meeting.

## **11.7 Asking the Question at the Meeting**

The Chairman will invite the questioner to put the question to the member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Chairman to put the question on their behalf. The Chairman may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

## **11.8 Supplementary Question**

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A

supplementary question must arise directly out of the original question or the reply and must be only for purposes of elucidation. The Chairman may reject a supplementary question on any of the grounds in Rule 11.5 above.

### **11.9 Written Answers**

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer.

### **11.10 Non Attendance of Questioner**

Where the member of the public who has given notice of a question is not in attendance at the Council meeting at which the question is to be put, a reply will be sent to the questioner in writing or by electronic mail and published in the minutes of the meeting and the Council Bulletin.

### **11.11 Reference of Question to the Executive or a Committee/Sub-Committee**

Unless the Chairman decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Executive or a Committee. Once seconded, such a motion will be voted on without discussion.

## **12. QUESTIONS BY MEMBERS**

### **12.1 On Reports of the Executive or Committees**

A member of the Council may ask the Leader, or the Chairman of Overview and Scrutiny or a Portfolio Holder any question without notice on an item of the report of the Executive or a Committee when that item is being received or under consideration by the Council.

### **12.2 Questions Following Notice at Full Council**

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

- (a) the Chairman;
- (b) the Leader;
- (c) a Portfolio Holder
- (c) the Chairman of any Committee or Sub-Committee
- (d) a question on any matter in relation to which the Council has powers or duties or which affects the Epping Forest District.

### **12.3 Notice of Questions**

A member may only ask a question under Rule 12.2 if either:



- (a) they have given at least four working days' notice in writing of the question to the Chief Executive; or
- (b) the question relates to urgent matters, they have the consent of the Chairman to whom the question is to be put and the content of the question is given to the Chief Executive by 10.00 a.m. on the day of the meeting.

#### **12.4 Replies to Questions**

An answer may take the form of:

- (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.

Answers to questions falling within categories (a) and (b) above shall be made available to the member asking the question one hour before the meeting of the Council at which the question will be put. Answers to questions under (c) above will be circulated to all Councillors.

#### **12.5 Supplementary Question**

A member asking a question under Rule 12.2 may ask one supplementary question without notice of the member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

#### **12.6 Questions without notice at full Council**

A member of the Council may ask the Leader, Chairman of Overview and Scrutiny or any member of the Cabinet any question without notice on:

- (a) any report submitted to the Council under Article 2.1(viii);
- (b) any other matter in relation to which the Council has powers or duties or which affects the administrative area covered by the (Epping Forest District Council) or part of it or the inhabitants of that area or some of them, or which relates to a written response given by the Leader, Chairman of Overview and Scrutiny Committee or a member of the Cabinet.

#### **12.7 Response to a question without notice**

An answer to a question without notice may take the form of:

- (a) direct oral answer from the Leader or, at the request of the Leader, from another member of the Cabinet;
- (b) direct oral answer from the Chairman of the Overview and Scrutiny Committee or, at their request, from another member dealing with that issue as part of an Overview and Scrutiny review;

- (c) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (d) where the reply cannot be conveniently be given orally, a written answer circulated later to the questioner; or
- (e) where the question relates to an operational matter, the Leader, Chairman of Overview and Scrutiny Committee or a member of the Cabinet will request that a response be given direct to the questioner by the relevant Chief Officer.

**12.8 Time Limit for Questions without Notice to the Leader of Council & Portfolio Holders on Written Reports and Other Matters**

- (a) **A time limit of 30 minutes shall be set for questions under Rule 12.6. Any question which cannot be dealt with within the time available will receive a written reply.**
- (b) **Questions without notice on written reports and on other matters will be dealt with by the Chairman of the Council as follows:**
  - (i) **by extending the period of thirty minutes by up to 10 minutes at his or her discretion; and**
  - (ii) **by ensuring that questions by members are dealt with in the order in which they are put and that all questions from each political group and from independent members receive a reply.**

**12.9 Time Limit for Questions Without Notice to the Chairman of the Overview & Scrutiny Committee on Written Reports and Other Matters**

- (a) **questions without notice on reports of the Chairman of the Overview & Scrutiny Committee and on any other matter affecting Overview & Scrutiny will be dealt with at the same time as other business from that Committee; and**
- (b) **the Chairman of the Council shall apply the rules for questions without notice the Leader of the Council and Cabinet members (set out in Rule 12.8 above) to questions to the chairman of the Overview & Scrutiny Committee.**

**12.10 Supplementary Question**

**The will be no supplementary questions permitted in respect questions put under Rules 12.8 and 12.9.**

## **13. MOTIONS ON NOTICE**

### **13.1 Notice of Motion**

Except for motions which can be moved without notice under Rule 14, written notice of every motion, signed by at least the mover and seconder of the proposed motion, must be delivered to one of the Joint Chief Executives not later than seven working days before the date of the meeting. These will be entered in a book open to public inspection.

### **13.2 Motions to be set out in Agenda**

Motions for which notice has been given will be listed on the agenda in the order in which each notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it. Any motion involving executive functions shall automatically stand referred to the Cabinet and any motion which deals with the Council's policy or budget frameworks, the Constitution or any matter requiring the consent of the Council, shall be subject to a report back to the next appropriate Council meeting.

### **13.3 Scope of Motions**

Motions must be about matters for which the Council has a responsibility or which affect the Epping Forest District.

## **14. 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 member arising from an item on the summons for the meeting but excluding those appointments which are the responsibility of the Leader of Council;
- (f) to receive reports or adoption of recommendations of the Executive, 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) closure motion - that the question be now put (see Procedure Rule 15.11);
- (k) closure motion - to adjourn a debate (see Procedure Rule 15.11);

- (l) closure motion - to adjourn a meeting (see Procedure Rule 15.11);
- (m) that Rule 8 (relating to completion of business in public session be waived to permit the public session to continue beyond 10.00 p.m.
- (n) to suspend a particular council procedure rule;
- (o) to exclude the public and press in accordance with the Access to Information Rules;
- (p) not to hear further a member named under Rule 22.3 or to exclude them from the meeting under Rule 22.4;
- (q) to extend the time allowed for any member's speech under Rule 15.4; and
- (r) to give the consent of the Council where its consent is required by this Constitution.

## **15. RULES OF DEBATE**

### **15.1 No Speeches until Motion Seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

### **15.2 Right to Require Motion in Writing**

Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him/her before it is discussed.

### **15.3 Secunder's Speech**

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

### **15.4 Content and Length of Speeches**

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

### **15.5 When a Member may Speak Again**

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

- (a) to speak once on an amendment moved by another member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (d) in exercise of a right of reply;

- (e) on a point of order; and
- (f) by way of personal explanation.

#### **15.6 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 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.
- (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 becoming the substantive motion to which any further amendments may be moved.
- (e) after an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

#### **15.7 Alteration of Motion**

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

### **15.8 Withdrawal of Motion**

A member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The Council'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 by the Council.

### **15.9 Right of Reply**

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (c) The mover of the amendment has no right of reply to the debate on his or her amendment.

### **15.10 Motions which may be Moved during Debate**

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

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) that Rule 9 (relating to completion of business in public session be waived to permit the public session to continue beyond 10.00 p.m.)
- (h) to exclude the public and press in accordance with the Access to Information Rules;  
and
- (i) to not hear further a member named under Rule 22.3 or to exclude them from the meeting under Rule 22.4.

### **15.11 Closure Motions**

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.
- (a) If a motion to proceed to next business is seconded and the Chairman rules the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
  - (b) If a motion that the question be now put is seconded and the Chairman rules 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.
  - (c) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

### **15.12 Point of Order**

A member may raise a point of order at any time. The Chairman will hear them 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 Chairman on the matter will be final.

### **15.13 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 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.

## **16. PREVIOUS DECISIONS AND MOTIONS**

### **16.1 Motion to Rescind a Previous Decision**

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 15 members.

### **16.2 Motion Similar to One Previously Rejected**

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment

is signed by at least 15 members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

## **17. VOTING**

### **17.1 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.

### **17.2 Chairman's Casting Vote**

If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. The exercise of this second or casting vote shall be in accordance with Article 5 (paragraph 5) of the Constitution.

### **17.3 Show of Hands**

Unless a recorded vote is demanded under Rules 16.4 and 16.5, the Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

### **17.4 Recorded Vote**

If five members present at the meeting require it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

### **17.5 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.

### **17.6 Voting at Budget Decision Meetings**

In accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, immediately after any vote is taken at a budget decision meeting there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

“Budget decision” means a meeting at which;

- (a) a calculation is made (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, as amended; or
- (b) a precept is issued under Chapter 4 of Part 1 of the Act, 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.



References to a vote are references to a vote not only on the substantive budget motions agreeing the budget, setting council taxes or issuing precepts, but also on any amendments proposed at the meeting.

## **18. VOTING ON APPOINTMENTS**

### **18.1 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.

## **19. MINUTES**

### **19.1 Signing the Minutes**

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

### **19.2 Extraordinary Meetings**

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.

### **19.3 Form of Minutes**

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

## **20. RECORD OF ATTENDANCE**

All members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

## **21. EXCLUSION OF PUBLIC**

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 23 (Disturbance by Public).

## **22. MEMBERS' CONDUCT**

### **22.1 Standing to Speak**

When a member speaks at full Council they must stand and address the meeting through the Chairman. If more than one member stands, the Chairman will ask one to speak and the

others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

## **22.2 Chairman Standing**

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

## **22.3 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.

## **22.4 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.

## **22.5 General Disturbance**

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

## **23. DISTURBANCE BY PUBLIC**

### **23.1 Removal of Member of the Public**

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

### **23.2 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.

## **24. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES**

### **24.1 Suspension**

All of these Council Rules of Procedure except Rule 15.5 and 19.2 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.

### **24.2 Amendment**

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.

## **25. PLANNING APPLICATIONS**

Any planning application submitted directly to a Council meeting without prior consideration by the District Development Committee and/or an Area Sub-Committee shall be subject to the procedure for public participation by applicants, objectors and parish/town councils in the same way as those applied to Committees and Sub-Committees by Operational Standing Order 5.

## **26. APPLICATION TO THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES**

26.1 All of the Council Rules of Procedure apply to meetings of full Council. None of the rules (except Rule 8) apply to meetings of the Cabinet or other executive bodies. Only Rules 2(xi), 4-8, 11.10, 13 and 14, 16, (excluding 16.4), 18, 20-21 (excluding 21(1)) apply to meetings of Committees and Sub-Committees. Only rules 4-8 16.1-16.3 and 22.3-22.5 shall apply to working groups.

26.2 The requirements of Procedure Rule 5 (Cancellation of Meetings) above shall apply to the Cabinet, Committees, Panels and Sub-Committees and any other meeting convened by the Authority.