

# **Part Three – The Mayor and Full Council Meetings**

## **Section Three – Standing Orders (Council and Committee Procedures)**

### **INTRODUCTION**

These Procedure Rules (also known as ‘Standing Orders’) set out the rules for the conduct of meetings of the Council. They are intended to ensure proper decision making, fair and orderly debate and to guide the Mayor where issues of contention might arise.

#### **Definitions**

- (i) ‘The Opposition Group’ will mean the largest Minority Group.
- (ii) The right of response to the Leader’s speech at each Council meeting will be reserved to the Opposition Group; however, the leaders or finance lead of each party group would be expected to speak on the Council’s annual budget debate and to be granted equal time.
- (iii) In normal circumstances, along with the Lead Member, only an Opposition Group member may respond to each question at Public Speaking, albeit the Opposition Group can give way to another minority party or ungrouped Councillor should they see fit to do so.

### **INTERPRETATION**

#### **1 Mayor - Final Authority**

- 1.01 The Mayor shall be the final authority in the interpretation of these Rules and their ruling shall not be open to discussion.
- 1.02 The term ‘Mayor’ includes the person for the time being chairing a meeting of the Council.
- 1.03 The Mayor may, at their discretion, advance or postpone any business at any stage of the meeting.

#### **2 Chair of Meeting**

- 2.01 At a meeting of the Council the Mayor, if present, shall take the chair.
- 2.02 If the Mayor is absent from a meeting of the Council, the Deputy Mayor shall chair the meeting.
- 2.03 If the Mayor and Deputy Mayor are absent, or the Deputy Mayor being present does not take the chair, another Member of the Council (who may not be a member of the Executive) shall be chosen to preside by Councillors present at the meeting.

**3 Meetings of the Council**

- 3.01 The Council shall in every year hold an annual meeting. In addition, it may hold such other 'ordinary' meetings as it decides. It may also hold extraordinary meetings as required (see paragraphs 3.06-3.10).
- 3.02 The annual meeting and all ordinary meetings of the Council shall be held at the times and on the days fixed by the Council.
- 3.03 The annual meeting must be held:
- (a) in a year of ordinary elections of Councillors to the Council, between 8 and 21 days after the day of retirement of Councillors as the Council may fix; and
  - (b) in any other year, on such day in the month of March, April or May as the Council may fix.

**Order of Business at Annual Meeting**

- 3.04 The order of business at the Annual Meeting of the Council shall be as follows:
- (a) Election of Mayor and appointment of Deputy Mayor
  - (b) Signing of minutes
  - (c) Mayor's communications
  - (d) Chief Executive's reports (apologies and declarations of interest)
  - (e) Election of the Leader of the Council (where required).
  - (f) Speech by the Leader of the Council and response by the Leader of the principal minority party
  - (g) Review the representation on committees and on outside bodies of the political groups on the Council.
  - (h) The appointment of committees, to include scrutiny committees and other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions.
  - (i) Agree a programme of meetings for the Council and its committees for the following year.
  - (j) Appointments to outside organisations.
  - (k) Other specified business.

**Order of Business at Ordinary Meetings**

- 3.05 At ordinary meetings of the Council the business shall (subject to Standing Order 1.03) be taken in the following order:
- (a) The approval as a correct record of the minutes of the previous ordinary meeting and of any adjourned or extraordinary meeting (Standing Order 9)

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- (b) Announcements by the Mayor.
- (c) Councillors' declarations of interest.
- (d) Chief Executive's communications.
- (e) Public speaking
- (f) Petitions (Standing Order 10).
- (g) Announcement by the Mayor of the order of remaining business in accordance with Standing Order 1.
- (h) Consideration of reports put forward by the Executive.
- (i) Reports from Council-side committees.
- (j) Matters referred to Council by scrutiny committees.
- (k) Questions to Lead Members pursuant to Standing Order 22.
- (l) Matters of local concern pursuant to Standing Order 11.
- (m) Motion(s) for main debate pursuant to Standing Order 14.
- (n) The filling of any committee vacancies.
- (l) Any appointments or nominations to outside bodies.

#### **Extraordinary Meetings**

- 3.06 An extraordinary meeting of the Council may be called at any time by the Mayor.
- 3.07 Any five Councillors may submit to the Mayor a notice signed by them requiring the Mayor to call an extraordinary meeting of the Council. (If the Mayor refuses to call an extraordinary meeting or does not call an extraordinary meeting within seven days after the notice has been given to them the Councillors who signed the notice may call an extraordinary meeting in accordance Standing Order 4).
- 3.08 It shall not be necessary to deal at an extraordinary meeting with the minutes of the previous ordinary meeting of the Council.
- 3.09 The business to be transacted at an extraordinary meeting shall be restricted to the item of business set out in the requisition.
- 3.10 When considering a requisition the Mayor shall decide whether the extraordinary meeting should be called on the same date as the next scheduled ordinary meeting of the Council (as will ordinarily be the case) or on an earlier date (in exceptional circumstances).

#### **4. Notice of Meetings**

- 4.01 At least five working days before a Council meeting:
  - (a) Notice of the time and place of the intended meeting shall be published at the Council's offices and on the Council's website.

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- (b) A summons to attend the meeting, specifying the business proposed to be transacted shall be emailed to, and/or left for collection by every Councillor. Failure to send an agenda to any Councillor shall not affect the validity of a meeting of the Council.

**Business at Council Meetings**

**5. Attendance at Meetings**

- 5.01 The minutes of any meeting shall record the names of those Councillors present.

**6. Quorum**

- 6.01 Subject to Standing Order 6.02 no business shall be transacted at a meeting of the Council unless at least one quarter of the whole number of Councillors (i.e. 13) are present.
- 6.02 Where more than one-third of the Councillors (i.e. 17) become disqualified at the same time, then, until the number of Councillors in office is increased to not less than two-thirds of the whole number of Councillors (i.e. 34), the quorum of the Authority shall be a quarter of the number of Councillors remaining qualified.

**7. Absence of Quorum**

- 7.01 If a quorum is not present within fifteen minutes after the time at which the meeting was scheduled to start the meeting shall not take place and the meeting shall be adjourned until the day and time fixed for the next ordinary meeting of the Council or to an earlier day and at such time as shall in the opinion of the Mayor be convenient.

**8. Admission of Public**

- 8.01 All meetings of the Council shall be open to the public except to the extent they are excluded (whether during the whole or part of the proceedings) in accordance with paragraph 10 of the Access to Information Procedure Rules elsewhere in this Constitution.
- 8.02 Members of the public have the right by law to report on meetings; therefore filming, tweeting, blogging etc. from the public gallery or the parts of the meeting room where the public are able to sit or stand is permitted at meetings without advance notice. If other facilities are required for filming or otherwise recording a meeting, advance notice should be given to the relevant Chair or Governance Services Team, e.g. where equipment needs to be set-up or a suitable space set aside for a camera. It is important, however, that meetings can take place without disruption and, as such, 'roving' filming close to or around the meeting table, or other reporting activity of a manifestly disruptive nature, will not be permitted.
- 8.03 Public Speaking at Ordinary Meetings of Full Council

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A public speaking session will, in normal circumstances, form part of ordinary meetings of the full Council only, and the following rules will apply:

- (i) Up to one hour will be set aside at each ordinary meeting of the Council for public speaking;
- (ii) The Mayor shall have discretion to allow members of the public who live, work or go to school in the Borough to speak at such meetings, but no person under the age of 16 will be permitted to address the meeting unless with the consent of a parent or guardian or as a member of the Youth Council;
- (iii) Speakers must give advance notice that they wish to speak and provide the subject matter of their speech at the point of registration via the Council website. The question or matter to be raised must be primarily local in nature and must not be about individual or personal matters (e.g. personal claims, applications, legal action, neighbour or other disputes etc. - as the Council cannot respond to such issues in a public meeting) and must not relate to current planning or licensing applications;
- (iv) Each speaker will be able to address the meeting for no more than five minutes;
- (v) Where an opportunity is given to an executive member to respond, for no more than two minutes, to a contribution from a member of the public, an opportunity will also be given to a member of the principal opposition group to comment, for no more than two minutes;
- (vi) No external person addressing a Council meeting will be able to participate in any decision making and no formal Council decision will be taken at Council solely on the basis of a discussion initiated at such a public speaking session;
- (vii) In order to ensure the Council hears from a wide range of speakers, no person who has spoken at a Council meeting public speaking session will be permitted to register to speak at the next meeting at which there is a public speaking session.

8.04 Public speakers will be expected to adhere to rules around conduct of debate set out in these Rules.

## **9. Minutes**

9.01 As soon as the minutes have been presented they shall be taken as read and the Mayor shall ask that they be signed as a true record. No discussion shall be allowed on the minutes, except as to their accuracy.

## **10. Petitions**

10.01 Councillors may present petitions at ordinary meetings of the Council. Such petitions shall not be accompanied by any speech or comment; Members shall be permitted to read the prayer (i.e. text of the petition) only. Every petition so

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presented shall stand referred to the Executive or to the relevant committee within whose terms of reference it falls.

- 10.02 All petitions will be handled in accordance with the provisions of the *Petitions Guidance* that has been agreed by the Council and is in force at the time a petition is received by the Council.

#### **11. Matters of local concern**

- 11.01 Councillors may draw to the Council's attention Ward or other 'live' issues that are primarily local in nature. Each Councillor raising such an issue under this Standing Order may speak for not more than two minutes, however they will receive no response at the meeting. No more than three Majority Group Councillors and one Minority Party or ungrouped Councillor may raise issues in this way per meeting. Councillors wishing to raise such matters must register their intent with the Head of Governance & Mayoralty prior to the meeting and such registration will be on a 'first come, first served' basis. The relevant Lead Member or Executive Director will be expected to respond to the Councillor raising this issue within six weeks.

#### **12. Procedures for considering Reports**

- 12.01 All reports from the Executive and committees shall contain a recommendation.
- 12.02 On each report being brought before the Council the procedure shall be:
- (a) The Lead Member or chair of the committee in whose name the report stands (or if they are absent or refrain from doing so, some other Member of the committee or Member of the Executive) shall move "that the report be received". Upon being seconded, they shall then be held to have proposed each paragraph in the report except that they may with the consent of the Council, withdraw or correct any paragraph therein. They may also, when moving the reception of a report, reserve the right to speak first on any paragraph and this shall not preclude them from replying to the debate.
  - (b) Otherwise no speech shall be made on the reception of a report.
  - (c) In debating a report from the Executive, the Council may:
    - (i) approve the recommendation(s);
    - (ii) amend and approve the recommendation(s) (where no more than two Members of the Leadership Team have raised objection to the amendment);
    - (iii) approve the recommendation(s) in principle subject to ratification and redrafted detail by the Mayor; or
    - (iv) refer the report back to the Executive for further consideration.
  - (d) In debating a report from a committee the Council may:

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- (i) adopt any recommendation of the committee;
- (ii) amend and adopt as amended any recommendation of the committee;
- (iii) note the report and direct that no further action be taken; or
- (iv) refer the matter back to the committee or to the Executive for consideration.

No other motion shall be permitted.

- (e) The rules for debate on motions shall also apply to debates on amendments to reports.

- 12.03 If, in the course of debate of a report from the Leadership Team, an amendment is carried to which two Lead Members signal their objection, then the Mayor will enable the debate on the report to continue and any further amendments to be dealt with. However, at the conclusion of the debate on the report the Mayor will ask the Council to indicate that it is minded to approve the recommendation(s) as amended (including the amendment(s) to which two or more Lead Members have signalled their objection). The Mayor will then allow the remaining business on the Agenda for the meeting of the Council to be transacted but at the conclusion of that other business the meeting will stand adjourned.
- 12.04 At least five working days shall elapse before the meeting of the Council reconvenes and in that period the Leadership Team shall meet to consider the report and the amendments which the Council wishes to make. At the reconvened meeting of the Council the report which the Council was minded to approve shall be brought before the meeting.
- 12.05 It may be accompanied by amendments put forward by the Leadership Team or a statement from the Leadership Team setting out its objection to the amendment(s) which the Council has made. The Council will consider the report and any further proposed amendment(s) or any such statement from the Leadership Team. After such consideration and any further amendment(s) it will be open to any Councillor to move that:
- the recommendation(s) be confirmed (including any amendment(s) to which the Leadership Team objected and including any other amendments agreed); or
  - that the recommendation(s) be adopted as amended at the second meeting.
- 12.06 The decision of the Council after the process in this Standing Order has been observed shall be final.

**13. Motions under Notice**

- 13.01 Motions under notice for debate at Council meetings may be either:
- (a) Motions for main debate (see Standing Order 14);

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- (b) Motions to amend any recommendation of the Executive or of a Committee (see Standing Order 12); or
- (c) Motions to remove the Leader from office (See Standing Order 16).

**14. Motions for Main Debate**

**Process**

14.01 A notice of motion for main debate shall:

- (a) be in writing or submitted via email;
- (b) contain the names of two Councillors, one as mover and the other as seconder;
- (c) reach the Chief Executive no later than noon on the sixth working day before the day of the meeting at which it is to be submitted so that it may be printed in the agenda for that meeting.

14.02 An amendment to a motion for main debate shall:

- (a) be in writing or submitted via email;
- (b) contain the names of two Councillors, one as mover and the other as seconder;
- (c) reach the Chief Executive no later than noon on the day of the meeting.

14.03 All notices of motion for main debate and notices of amendment shall:

- (a) appear on the agenda, with the names of the mover and seconder, in the order in which they are received (except in the case of notices of amendment which shall appear in a supplemental agenda grouped under the heading of the motion to which they relate).
- (b) be excluded from the agenda paper if the Mayor deems it to be out of order and so instructs the Chief Executive. However, the Mayor may make alterations to any notice of motion or amendment to bring it in to due form. If the Mayor decides that a notice of motion or notice of an amendment shall be excluded or altered, the Councillor(s) concerned shall be so informed.

**Reference to the Executive or Committee**

14.04 Where any motion for main debate has been moved and seconded any Councillor may formally move that the motion be referred to the Leadership Team or relevant Lead Member or to the relevant committee or committees for consideration and report. Such reference, if formally seconded, shall be put to the vote and, if it is carried, the original motion shall stand so referred and there shall be no further debate on it.



**Limitations**

- 14.05 No Councillor shall move or second more than one notice of motion for main debate or amendment thereto on the agenda at the same meeting.
- 14.06 After a motion is printed on the agenda or an amendment has been moved and seconded, it shall not be withdrawn without the consent of the Council.

*Agreed Motions*

- 14.07 The Head of Governance & Mayoralty will refer motions agreed by Council to the relevant person(s) for action. Responses to, or action taken with regards to, motions will regularly be reported back to Council.

**15. Motions to amend the budget or reports from the Executive or Committees**

- 15.01 In respect of amendments to the proposed budget for the following financial year or of a recommendation of the Leadership Team or a Committee, such amendments should:
- (i) be in writing or submitted via email;
  - (ii) contain the names of two Councillors , one as mover and the other as seconder; and
  - (iii) reach the Chief Executive no later than noon, two working days before the meeting at which it is to be submitted.

**16. Motion to remove the Leader from office**

- 16.01 The Leader may be removed from office by resolution of the Council on a notice of motion signed by at least 21 Councillors and approved, without amendment, by the Council. Any such motion must be delivered to the Chief Executive in writing at least ten working days before the date of the meeting at which it is to be addressed. If the Council passes such a resolution, a new Leader is to be elected:
- (i) at the meeting at which the Leader is removed from office; or
  - (ii) at a subsequent meeting.

**17. Motions without Notice**

- 17.01 Motions without notice may be:
- (i) Motions to enable the Council to proceed to the next item of business (see Standing Order 18);
  - (ii) In the absence of the Mayor and Deputy Mayor, a motion to appoint a Chair of the meeting (see Standing Order 2);
  - (iii) To suspend Standing Orders (see Standing Order 42)
  - (iv) To withdraw a motion;

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- (v) To agree the order in which motions/amendments are debated;
- (vi) To adjourn or suspend the meeting (see Standing Order 23);
- (vii) To exclude the press and public in accordance with the Access to Information rules;
- (viii) To deal with urgent items under Standing Order 20;
- (ix) To deal with a breach of order under Standing Order 26.

**18. Motions to Proceed to the Next Item of Business**

18.01 During debate any Councillor who has not spoken on the question may formally move one of the following motions:

- (a) “that the question be now put”; or
- (b) “that discussion on this item terminate at . . . o’clock”.

On either of these motions being formally seconded, the Mayor shall put the motion to the vote and, if it is carried, shall proceed as follows:

18.02 If there is an amendment before the Council, they shall give the Member of the Executive or the chair of the committee (or someone nominated by them) the right to reply either at once or at the relevant time. They shall then put the amendment to the vote.

18.03 If there is no amendment before the Council (or once any motion for an amendment has been disposed of), he or she shall give the Member of the Executive or the chair of the committee (or someone nominated by them) the right to reply either at once or at the relevant time. They shall then put the motion to the vote.

18.04 Standing Orders 33.03 and 33.04 shall not apply to the results of any voting under this Standing Order.

18.05 If a motion under Standing Order 18.01(b) above is carried in relation to a report from the Executive or any committee, at the termination of the discussion the Mayor shall arrange to put to the meeting without discussion, all remaining items from the report.

**19. General Limitations to all Motions**

The following limitations shall apply to all forms of motion and amendment.

19.01 No motion shall be moved to the same effect as any motion that has been debated within the preceding year. This is provided that this Standing Order shall not apply to a motion to adopt a recommendation of the Executive or a committee.

*Form of motion or amendment to increase expenditure*

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- 19.02 No Councillor shall make a motion or move an amendment to a motion that would have the effect of increasing the expenditure of the Council except in the form of a reference to the Executive under Standing Order 12.

*Relevance of motion or amendment*

- 19.03 Every notice of motion or amendment shall be relevant to some question over which the Council has power or to some question that directly and explicitly affects the Borough.

- 19.04 An amendment shall be relevant to the motion and shall be either to:

- (i) leave out words;
- (ii) leave out words and insert or add others;
- (iii) insert or add words;
- (iv) refer a subject of debate to the Executive or to a committee for consideration or re-consideration.

as long as the effect of (i) to (iii) is not, in the opinion of the Mayor, to negate the motion. Re-writes of Motions will not be allowed. Where the mover of an amendment is unsure whether the amendment complies with the above rules, they are advised to seek the early views of the Monitoring Officer before the amendment is formally submitted.

- 19.05 In relation to motions without notice (see 17.01), upon any Councillor rising to propose a motion or propose an amendment, they shall state the terms of such motion or amendment and shall not be permitted to speak in support until they have done so.

*Proposer and seconder of original substantive motion to speak before amendments taken*

- 19.06 The Mayor will allow such time as they consider appropriate on the original substantive motion to allow the proposer and seconder to make their speeches and for others to contribute.

*Amendments to be taken in the order they are submitted, and dealt with individually*

- 19.07 Subject to any decision of the Council in accordance with SO21.01 amendments will be taken in the order they are submitted and where an amendment is carried, thus making any second amendment to the motion nonsensical, the proposer of any subsequent amendment will be given the opportunity to withdraw or vary their amendment (i.e. redraft it before proceedings recommence, if it is still relevant to the, now amended, motion), otherwise it will fall.

- 19.08 When an amendment has been moved and seconded, it shall be disposed of before any further amendment to the same motion is moved. If an amendment be carried, the motion as amended shall become the substantive motion, on

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which a further amendment may be moved. Where two amendments have been submitted on the same motion the Mayor shall have discretion, once the amendments have been moved and seconded, to allow such amendments to be debated together.

#### *No right of reply when amendment is carried*

- 19.09 The right of reply shall not extend to the mover of any amendment that, having been carried, has become a substantive motion.

#### *Members to speak only once*

- 19.10 Except as otherwise specifically provided by Standing Orders, no Councillor shall address the Council more than once on any motion or on any amendment.

#### *Alteration of motion*

- 19.11 A Councillor may with the consent of the Council signified without discussion:
- (a) alter a motion of which they have given notice; or
  - (b) with the further consent of their seconder alter a motion which they have moved if (in either case) the alteration is one which could be made as an amendment thereto.

## **20. Urgent Matters for Debate**

- 20.01 Where a Councillor considers that a matter which is not on the agenda should be reported urgently to the Council, the Councillor will need to explain the urgency and why notice had not been given before the agenda despatch. Where the Mayor agrees that such a matter is urgent, the Councillor may, with the consent of, and in a form approved by the Mayor, bring the matter before the meeting by way of a short written statement which shall be drawn to the Council's attention by the Chief Executive as part of their reports and communications at the start of the meeting. The Councillor concerned may, with the Mayor's permission, then speak on the statement but no motion may be moved thereon.
- 20.02 Any other Councillor may then formally move: "that Standing Orders be suspended to enable the Council to debate as a matter of urgency the subject matter of the statement". If formally seconded such motion shall be immediately put to the vote. If carried, the Council shall proceed to debate the matter straight away.
- 20.04 Any proposal arising out of the debate for specific action on the part of the Council must be the subject of a report to the relevant Executive body or Committee and dealt with, if necessary, under urgency provisions.
- 20.03 At the conclusion of such debate the Councillor reporting the matter to the Council shall have a right of reply.

## **21. Procedure in debate**

Order in which motions are debated

- 21.01 The Council may vote on the order in which motions are debated. Those motions which have not been dealt with by the end of the time allotted to this item on the agenda, shall be put on the agenda for the following Council meeting. The Council may also vote on the order in which any proposed amendments to a motion are debated.

Motion to be moved and seconded

- 21.02 Should the mover or seconder of a motion or amendment be absent from the meeting, another Councillor may move/second the motion/amendment, unless the Council objects.

Right to speak – seconder of motion

- 21.03 No motion for main debate or motion for amendment shall be discussed unless it has been seconded. However, any Councillor, when seconding a motion or amendment, if they then declare their intention to do so, may reserve their speech until a later period in the debate.

Right of reply – relevant Executive Member

- 21.04 The relevant Executive Member or the Chair of the relevant committee or someone nominated by them shall, provided they have not already spoken, have the right to speak when called upon by the Mayor, immediately before the mover of the motion or amendment exercises their right of reply.

Right of reply – mover of motion

- 21.05 The mover of a motion or of an amendment shall have a right of reply. However, they will confine themselves to answering previous speakers and shall not introduce any new matter in to the debate.

Discretion of the Mayor

- 21.06 The Mayor shall exercise his or her discretion in a manner designed to ensure effective and orderly debate.

## **22. Questions to Lead Members**

- (i) Questions on matters that are within the remit of the Council's executive may be asked by Councillors at any ordinary meeting of the Council, subject to the following conditions:
- (ii) No Councillor will be permitted to ask more than one question at each meeting;
- (iii) At each ordinary Council Meeting no more than three questions will be accepted from Councillors from the Majority Group; no more than one from the principal opposition group; and no more than one in total from any other minority group and ungrouped Councillors;

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- (iv) No Lead Member will be required to respond to more than two questions per Council meeting and will not be expected to respond to questions outside their executive remit;
- (v) Where a question falls within, or relates to the remit of, more than one Lead Member, a combined reply may be given by one of the relevant Lead Members;
- (vi) Where a Lead Member is unable to give their reply at the meeting in question (for example where they are unable to attend the meeting), that reply may be given by another Lead Member acting on their behalf (in which circumstances (iii) above will apply as amended to cover these circumstances);
- (vii) Any Councillor wishing to ask a question must register the full question with the Head of Governance & Mayoralty, providing the wording that will be used in asking the question at the meeting, by no later than 10.00am two clear working days before the day of the meeting (i.e. normally on the Friday before the Wednesday of the Council meeting in question. The Head of Governance & Mayoralty will log, register and allocate questions to relevant Lead Members in the order they have been submitted and in accepting questions, will apply the criteria in this Standing Order and may, in liaison with the Mayor as at (viii) below, edit or amend the wording of such questions if and as appropriate before circulating the questions;
- (viii) The Mayor may:
  - (a) rule at any time that a question is frivolous, inconsistent with the *Twelve Principles of Good Governance* (Part 1 of this Constitution), or does not clearly relate to matters that are primarily local in nature and rule not to permit it to be asked at the meeting;
  - (b) determine the order in which questions (that have been accepted by the Director under the provisions above) are taken at the meeting, with questions to the Leader of the Council normally dealt with first, and the Leader of the main Opposition Group having the right to ask the first of these.
- (ix) The form of a reply to a question shall be within the discretion of the Leader or Lead Member giving the reply, or by the Lead Member delivering the reply on their behalf. In determining the form of his/her reply, that Councillor may take into special consideration whether a full reply would involve excessive resources, in which case he/she may decline to answer the question in whole or part;
- (x) Following an oral reply to a question given in pursuance of this Standing Order the Mayor may permit one supplementary question, from the Councillor who asked the original question, which should relate to the subject of the question but need not be restricted to elucidation of the reply;

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- (xi) Questions relating to the receipt of letters, reports, circulars or other documents by the Council, and to any action proposed thereon, will not normally be accepted until a fortnight has elapsed from the date of receipt of the document by the Council;
- (xii) Where the answer to a question cannot conveniently be given orally it shall be, at the discretion of the Lead Member giving it, replied to by subsequently issuing a written statement; and
- (xiii) Any Councillor giving notice of a question pursuant to this Standing Order may, at the same time, indicate that they do not intend to ask it orally, in which case it shall not be asked or answered orally; and unless withdrawn pursuant to paragraph 22.04 below it shall at the conclusion of question time be deemed to have been asked and shall be answered in writing.

22.02 Every question asked and the reply given thereto shall be recorded briefly in the minutes.

22.03 A Councillor who has registered to ask a question must read the initial question as printed in the Council agenda papers. No more than two minutes will be allowed for any question, any supplementary question or any response under this Standing Order and in normal circumstances no more than thirty minutes shall be allocated to such questions at any meeting of the Council with questions. Any questions which cannot be asked because of the time limit, shall be deemed to have been asked and shall be answered in writing; and every such question and answer thereto shall also be recorded in the minutes.

22.04 A Councillor may at any time withdraw a question provided that they notify the Director to that effect at any time before the start of the meeting of the Council at which the question is due to be asked.

**23. Council Adjournment**

23.01 The Council may adjourn any meeting or any matter under consideration.

23.02 Any motion for the adjournment of any meeting or matter under this standing order shall be formally moved and seconded and, if so moved and seconded, shall be put to the vote.

**24. Adjournment and Termination of Meetings**

24.01 After the Council shall have sat continuously for three hours (including any period of adjournment) the Mayor shall:

- (a) draw the attention of the Council to the fact, whereupon Standing Orders 12 to 22 shall be deemed to be suspended;
- (b) put to the meeting without discussion all reports (which shall be taken to have been moved and seconded) in the agenda which remain to be dealt with, taking a vote where appropriate (to the result of which Standing Order 33.03 and 33.04 shall not apply);

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- (c) defer any notices of motion appearing on the agenda which remain to be dealt with to the following meeting; and
- (d) deal at their discretion with any other business on the agenda for the meeting and any business not dealt with shall be disposed of at the next meeting of the Council.

**CONDUCT DURING DEBATE**

**25. Conduct of Councillors**

- 25.01 A Councillor shall stand when speaking, address the Mayor, speak strictly on the question under debate, conform to the orders of the Mayor and shall treat others with respect.
- 25.02 A Councillor shall not indulge in tedious repetition, irrelevance or unbecoming language, nor shall they impute motives to or make reflections of a personal character upon any other Councillor(s).
- 25.03 No Councillor shall interrupt another Councillor except in accordance with Standing Order 28 or 29.

**26. Breach of Order**

- 26.01 The Mayor shall call a Councillor to order for any breach of Standing Orders and may direct such Councillor, if speaking, to discontinue their speech.
- 26.02 In the event of disorder in the Council or of a persistent disregard of the authority of the chairman, any Councillor may move that a Councillor causing such disorder or disregarding such authority is not heard further. If seconded, the motion will be voted on without discussion. If a Councillor continues to behave improperly after such a motion is carried, any Councillor may move either that the Councillor leave the meeting or that the meeting be adjourned for a specified period. If seconded, the motion will be voted on without discussion.

**27. Precedence of Mayor**

- 27.01 Whenever the Mayor speaks during a debate any Councillor then speaking, or offering to speak, shall sit down and the Council shall be silent until the Mayor has been heard.

**28. Points of Order and of Personal Explanation**

- 28.01 Councillors may rise on a point of order and shall be entitled to be heard. A point of order shall relate only to an alleged breach of a standing order or statutory provision and Councillors shall, if called upon by the Mayor, specify the standing order or statutory provision and the way in which they consider it has been broken.
- 28.02 In any debate, Councillors may, by rising in their place, seek to give a personal explanation of some conduct or speech of theirs that they consider has been



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misrepresented by the Councillor then speaking. The latter may give way or may decline the interruption until the conclusion of their own speech.

**29. Intervention by a Councillor during speech**

29.01 A Councillor speaking shall have discretion to give way to an intervention by another Councillor.

**30. Length of Speeches**

30.01 Except as otherwise provided in these Standing Orders, no Councillor shall speak for longer than five minutes unless they have the consent of the Council.

**31. Disorder**

31.01 Under common law and statute, the chairman of a meeting has the power to exclude the public if he or she is of the opinion that there shall be a disruption to the business. It is also lawful to exclude the public before a meeting if there are grounds upon which to anticipate a disruption of the proceedings.

31.02 The Mayor may at any time, if they are satisfied that it is desirable in the interest of order, suspend or adjourn a meeting of the Council for such time as they may decide.

**32. Voting by Majority**

32.01 Except where legislation requires otherwise, all questions coming or arising before the Council shall be decided by a majority of the Councillors present and voting thereon at the meeting.

32.02 In the case of an equality of votes, the Mayor shall have a second or casting vote.

**33. Voting and Divisions**

33.01 Unless a recorded vote is demanded (see below), the Mayor will ask the Councillors present if the question is agreed and if no dissent is indicated by any one of those Councillors present, the Mayor will announce that the question is agreed. Where a Councillor or Councillors present at the meeting indicates dissent, the Mayor will proceed as follows:

- To call a vote by electronic means; or (if this is not available or not working)
  
- To call out the name of each Councillor present with Councillors stating 'for', 'against', or 'abstain' to indicate their vote when their name is called.

The Mayor shall then declare the result.

*Voting at meetings where the Council Tax is calculated or set*

*Constitution Part Three, Section Three – Standing Orders*

- 33.02 The names of the Councillors voting for, against or abstaining on any matter relating to the calculation or setting of the precept (including on any proposed amendments or alternative budget) shall be recorded in the minutes of the meeting at which the vote took place.

*Recorded votes*

- 33.03 Except as otherwise provided in these Standing Orders, after the declaration of the result following a vote, a recorded vote shall be ordered if nine Councillors present so require. If the number claiming a recorded vote be less than nine, any Councillor voting in the minority or abstaining shall, at their request, have their name recorded in the minutes of the Council.

*Names to be recorded after a vote*

- 33.04 Where any Councillor so requires, there shall be recorded in the minutes whether that Councillor cast their vote for the question or against the question, or whether they abstained from voting.

**MISCELLANEOUS**

**34. Arrangements for the Discharge of Urgent Matters between Meetings**

- 34.01 In the event of any matter that shall not admit of delay arising between meetings, executive directors and directors may seek and be given authority for action to be taken subject to the following provisions:
- 34.02 In respect of matters within the Council's terms of reference, action under this standing order may be taken by the Mayor only in respect of the following items:
- (i) Part 3 Section 2 (1.04 a) (plans and strategies which make up the Council's budgetary and policy framework) of the Council's terms of reference. The Mayor may signify, in writing, their agreement for such action as they deem necessary, only after having sought and received in writing the observations of the relevant Member(s) of the Executive and the chair of the relevant scrutiny committee on the action they propose to authorise;
  - (ii) and Part 3 Section 2 (1.04 m) (appointment of Members to non-executive committees).
- Any action under this standing order shall be deemed to have been authorised by the Chief Executive.
- 34.03 In respect of matters within a committee's terms of reference:
- (a) The chair of a Council appointed committee (or in their absence the Vice-Chair) may signify, in writing, their authorisation for such action as they deem necessary only after having sought and received in writing the professional advice of the relevant chief officer (or in their absence, a Director nominated by them). In such an event, the decision made shall be deemed to be that of the relevant chief officer (or that Director so nominated).

*Constitution Part Three, Section Three – Standing Orders*

- (b) If the offices of chair or vice-chair of a Council appointed committee are vacant or if the chair and vice-chair are absent, such action may be authorised by the Mayor or Deputy Mayor.

34.04 All such actions taken and instructions given shall be reported to the next practicable meeting of the Council or the committee, as appropriate. Where they relate to functions that such committee is not empowered by its terms of reference to exercise on behalf of the Council, they shall be reported to the next following ordinary meeting of the Council.

**35. Disclosable Pecuniary Interests and Other Significant Interests**

35.01 Councillors shall comply in all respects with the requirements of the Councillors' Code of Conduct relating to the registration and disclosure of disclosable pecuniary or other significant interests and to participation at meetings and in decision-making in cases where they have such interests.

35.02 There shall be an item on the agenda page for all formally convened meetings to enable Councillors to disclose any disclosable pecuniary or other significant interests at the outset of the meeting. When an agenda item is reached, any Councillor who has disclosed a disclosable pecuniary interest in that item may make representations, answer questions or give evidence, provided the public are also allowed to attend the meeting for the same purpose, but must then withdraw from the meeting room before the matter is discussed and before any vote is taken. Any Councillor who discloses any other interest must consider whether they should withdraw from the meeting room.

**36. Chair and Vice-Chair**

36.01 Chairs and Vice-Chairs of Committees for the forthcoming Municipal Year shall be appointed at the Annual Council Meeting, where provided for elsewhere in the Constitution, or otherwise at the first meeting of each committee following the Council meeting.

36.02 A Councillor holds the office as chair and vice-chair for one year until the appointment of committees at the Annual Council Meeting.

36.03 The Mayor or Deputy Mayor, if present, shall preside during the appointment of chairmen. If neither the Mayor nor Deputy Mayor is present, the election of chairmen shall be conducted by the Chief Executive.

**37. Extraordinary Meetings**

37.01 The Mayor or the chair of a committee may, through the Chief Executive, call an extraordinary meeting of a committee at any time. The notice shall set out the business to be considered at such a meeting and no other business than that so set out shall be considered at the meeting. Reports on items of business to be considered in public at extraordinary meetings shall be available for public inspection from the date and time at which the meeting is convened.

*Constitution Part Three, Section Three – Standing Orders*

**38. Quorum of the Leadership Team, Committees of the Council and Other Forums**

- 38.01 No business shall be transacted at any meeting of the Leadership Team unless the Leader (or in his or her absence the Deputy Leader) and two other Members of the Leadership Team are present or in the absence of both the Leader and Deputy Leader, unless five Lead Members are present.
- 38.02 Except where otherwise laid down in the Constitution, no business shall be transacted at any meeting of a committee of the Council unless three Councillors of that committee are present.

**39. Powers and Duties of the Chair**

- 39.01 The Chair shall decide all questions of order and their ruling on all questions of order or upon matters arising in debate shall be final and shall not be open to discussion. They shall be entitled to vote on any question in the first instance and, in case of an equality of votes, shall have a second or casting vote.

**40. Cancellation of meeting**

- 40.01 The Chair may cancel a meeting before the agenda has been issued if there is a lack of business for the meeting in question. Any decision to cancel a meeting should be taken at the earliest opportunity and every effort should be made to publicise the cancellation. In exceptional circumstances, where the agenda for a meeting has already been issued, the meeting may be cancelled or postponed by the Chair following consultation with other Councillors on the committee. If the meeting is postponed, where possible no less than five clear working days notice shall be given of the new date for the meeting.

**41. Application of Standing Orders**

- 41.01 Standing Orders shall, with any necessary modifications, apply to meetings of the Leadership Team and committees.
- 41.02 Necessary modifications referred to shall include references to 'the Mayor' being read as references to 'the Leader' or 'the chair' as appropriate and references to the Council being read as references to 'the Executive/Leadership Team' or 'the committee' as appropriate.

**42. Suspension of Standing Orders**

- 42.01 The operation of any Standing Order may be suspended by resolution of the Council carried by a majority of the Councillors present and voting.