

Part Four - Rules of Procedure

A. COUNCIL STANDING ORDERS

Interpretation

1. Mayor - Final Authority

The Mayor shall be the final authority in the interpretation of standing orders and his or her ruling shall not be open to discussion.

2. Definitions

In these standing orders, except where the context otherwise requires:

- 2.01 'Mayor' includes the person for the time being presiding at a meeting of the Council.
- 2.02 'Formally' means without speech or comment.
- 2.03 'Report' means any report from the Executive or from a committee appointed by the Council.

Meetings of the Council

3. Annual Meetings

- 3.01 The Council shall in every year hold an annual meeting.
- 3.02 The annual meeting shall be held:
 - (a) in a year of ordinary elections of Councillors to the Council, on the eighth day after the day of retirement of Councillors (or such other day within the twenty-one days immediately following the day of retirement 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.
- 3.03 The election of the Mayor shall be the first business transacted at the annual meeting of the Council.

4. Ordinary Meetings

The Council may in every year hold, in addition to the annual meeting, such other meetings as it may determine.

5. Annual and Ordinary Meetings

The annual meeting and all ordinary meetings of the Council shall be held at the times and on the days fixed by the Council on the recommendation of the Administration Committee.

6. Extraordinary Meetings

6.01 An extraordinary meeting of the Council may be called at any time by the Mayor.

6.02 Any five members of the Council may call an extraordinary meeting of the Council if:

(a) the Mayor refuses to call an extraordinary meeting of the Council after a requisition for that purpose signed by five members of the Council has been presented to him or her; or

(b) without refusing, the Mayor does not call an extraordinary meeting within seven days after the requisition has been presented to him or her;

on that refusal or on the expiration of those seven days, as the case may be.

6.03 It shall not be necessary to deal at an extraordinary meeting with the minutes of the last ordinary meeting of the Council.

7. Notice of Meetings - No Business to be Transacted Except as Specified on Summons

7.01 Five working days at least before a meeting of the Council:

(a) Notice of the time and place of the intended meeting shall be published at the Council's offices, and where the meeting is called by members of the Council the notice shall be signed by those members and shall specify the business proposed to be transacted.

(b) A summons to attend the meeting, specifying the business proposed to be transacted, and signed by the Town Clerk and Chief Executive, shall, subject to sub-paragraph 7.02 below, be left at or sent by post to the usual place of residence of every member of the Council.

7.02 If a member of the Council gives notice in writing to the Town Clerk and Chief Executive that he or she desires summonses to attend meetings of the Council to be sent to him or her at some address specified in the notice other than his or her place of residence, any summons addressed to him or her and left at or sent by post to that address shall be deemed sufficient service of the summons.

7.03 Want of service of a summons on any member of the Council shall not affect the validity of a meeting of the Council.

7.04 Except in the case of business required by legislation to be transacted at the annual meeting of the Council and other business brought before that meeting as a matter of urgency in accordance with the Council's standing orders, no business shall be transacted at a meeting of the Council other than that specified in the summons relating to it.

Business at Council Meetings

8. Attendance Book

Every member attending a Council meeting shall sign his or her name in the attendance book kept for the purpose. The Director of Strategy and Service Improvement shall record in the minutes of the proceedings the names of the members present.

9. Quorum

9.01 Subject to Standing Order 9.02 no business shall be transacted at a meeting of the Council unless at least one quarter of the whole number of members of the Council are present.

9.02 Where more than one-third of the members of the Council become disqualified at the same time, then, until the number of members in office is increased to not less than two-thirds of the whole number of members of the Council, the quorum of the Authority shall be determined by reference to the number of members of the Authority remaining qualified, instead of by reference to the whole number of members of the Council.

10. Absence of Quorum

If, fifteen minutes after the hour at which any meeting of the Council is appointed to be held, a quorum shall not be present, no meeting shall take place and the Council shall stand 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.

11. Chairman of Meeting

11.01 At a meeting of the Council the Mayor, if present, shall preside.

11.02 If the Mayor is absent from a meeting of the Council, the Deputy Mayor (vice-chairman) shall preside and shall be deemed to have been so chosen unless any member present shall object.

11.03 If the Mayor and Deputy Mayor (vice-chairman) are so absent, or the Deputy Mayor (vice-chairman) being present does not take the chair, another member of the Council chosen by the members of the Council then present shall preside.

12. Admission of Public

12.01 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 in Part 4C of this Constitution.

12.02 Nothing in these standing orders shall require the Council to permit the taking of photographs of any proceedings, or the use of any means to enable persons

not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as may take place.

- 12.03 The Mayor shall have discretion, if advance notice is given with the published agenda, to permit external people to speak in a Council meeting where appropriate. Such persons cannot, however, participate in any decision making.
- 12.04 The Chairman or Vice-Chairman of the Standards Committee and Audit Committee are entitled to speak at meetings of the full Council during the presentation of the committees' annual reports.
- 12.05 This section is without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.

Proceedings at Meetings

13. Order of Business at Annual Meeting

The order of business at the Annual Meeting of the Council shall be as follows:

- (a) Election of Mayor.
- (b) Signing of minutes.
- (c) Review the representation on committees and on outside bodies of the political groups on the Council.
- (d) Election of Leader of the Council.
- (e) In the year of ordinary election of London Borough Councillors, the appointment of committees, to include scrutiny committees, the Standards Committee and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are cabinet functions.
- (f) Agree a programme of meetings for the Council and its committees for the ensuing year.
- (g) Mayor's communications.
- (h) Town Clerk and Chief Executive's reports.
- (i) Appointments to outside organisations.
- (j) Other specified business.

14. Order of Business at Ordinary Meetings

At ordinary meetings of the Council the business shall (subject to Standing Order 15) be taken in the following order:

- (a) The approval as a correct record of the minutes of the last ordinary meeting and of any adjourned or extraordinary meeting (Standing Order 16).

- (b) Announcements by the Mayor.
- (c) Members' declaration of interest.
- (d) Town Clerk and Chief Executive's reports and communications.
- (e) Presentation of petitions (Standing Order 18).
- (f) Announcement by the Mayor of the order of remaining business in accordance with Standing Order 15.
- (g) Consideration of proposed budgetary and strategy framework reports put forward by the Executive.
- (h) Matters referred to Council by scrutiny committees.
- (i) Matters of local concern pursuant to Standing Order 19.
- (j) Motion(s) for main debate pursuant to Standing Order 24.
- (k) The filling of vacancies in any committee.
- (l) Any appointments or nominations of trustees or representatives on other bodies.

15. Order Of Business May Be Varied

The Mayor may, in his or her discretion, advance or postpone any business at any stage of the proceedings.

16. Minutes

16.01 The Minutes of the Council shall be printed and a draft copy shall be circulated to the members not later than five working days before the meeting of the Council at which the same shall be submitted for confirmation.

16.02 As soon as the minutes have been presented they shall be taken as read and the Mayor shall put the question that they be signed as a true record. No discussion shall be allowed on the minutes, except as to their accuracy. If no such question as to their accuracy is raised, or if it is raised, then as soon as it has been disposed of, the Mayor shall sign the minutes.

17. Urgent Matters For Debate

17.01 Matters which are not on the agenda and which a member considers should be reported urgently to the Council may, with the consent of, and in a form approved by, the Mayor, be brought before the meeting by way of a short written statement which shall be read by the Town Clerk and Chief Executive as part of his or her reports and communications.

The member concerned may, by leave of the Mayor, speak on the statement but no motion may be moved thereon.

- 17.02 After such member has spoken or, if the leave of the Mayor for such member to speak has not been granted, after such statement has been read, any member may formally move: "that standing orders be suspended to enable the Council to debate as a matter of urgency the subject matter of the statement referred to in paragraph 17.01 of this standing order". If formally seconded such motion shall be immediately put to the vote.
- 17.03 If standing orders shall be suspended under paragraph 17.02 of this standing order, no motion shall be moved in the ensuing debate that would require any specific action on the part of the Council.
- 17.04 At the conclusion of such debate the member reporting the matter to the Council shall have a right of reply.

18. Petitions

- 18.01 There is no expectation or requirement that petitions should be submitted to full Council. However this does not preclude Members from tabling petitions at full Council where a matter is considered to be of significant public importance. In such instances, Group Whips should agree the arrangements in advance with the Mayor.
- 18.02 Any petitions presented by members at ordinary meetings of the Council shall not be accompanied by any speech or comment. Every petition so presented shall stand referred to the Executive or to the relevant committee within whose terms of reference it falls. Where a petition consists of more than one sheet only, those signatures shall be considered valid which are written on sheets headed by the prayer of the petition or on the back of such sheets.

19. Matters of local concern (the 'two minute' rule)

- 19.01 Members may draw to the Council's attention Ward or other 'live' issues of general / broad principle. Each member raising such an issue under this Standing Order should speak for not more than **two** minutes in addressing the Council. No more than three Majority Group members and one Minority Party member may raise issues in this way per meeting. Members wishing to raise such matters should register their intent with the Town Clerk and Chief Executive prior to the meeting.

20. Reports

- 20.01 All submissions from the Executive or reports from committees for consideration by the Council shall be printed and sent to each member with the notice of the meeting of the Council at which they shall be considered.

This is provided that, with the consent of the Mayor or of a majority of the members present, any submissions from the Executive or reports from committees which have not been so transmitted, but of which copies have subsequently been sent to or laid before the members, may be brought before the Council.

- 20.02 Subject to Standing Order 15, submissions from the Executive or reports from committees shall be considered by the Council in the order in which they appear on the agenda paper.
- 20.03 Where a matter appears more than once on the agenda, the Mayor shall rule at the beginning of the meeting under which report it should be debated.

21. Reception of Submissions and Reports

- 21.01 All submissions from the Executive and reports from committees shall contain a recommendation.
- 21.02 On each report being brought before the Council the procedure shall be:
- (a) The Cabinet member or chairman of the committee in whose name the report stands (or if he or she are absent or refrain from doing so, some other member of the committee or member of the Cabinet) shall move "that the report be received". Upon being seconded, he or she shall then be held to have moved each paragraph in the report except that he or she may with the consent of the Council, withdraw or correct any paragraph therein. He or she may also, when moving the reception of a report, reserve the right to speak first on any paragraph and this shall not preclude him or her from replying to the debate.
 - (b) Otherwise no speech shall be made on the reception of a report.
 - (c) In debating a submission from the Executive, the Council, by resolution, may:
 - 1. approve the submission;
 - 2. amend and approve the submission (where no more than two members of the Cabinet have raised objection to the amendment) *(See also Standing Order 20.03)*;
 - 3. approve the submission in principle subject to ratification and redrafted detail by the Mayor; or
 - 4. refer the submission back to the Executive for further consideration.
 - (d) In debating a report from a committee the Council, by resolution, may:
 - 1. adopt any recommendation of the committee;
 - 2. amend and adopt as amended any recommendation of the committee;
 - 3. note the report and direct that no further action be taken; or
 - 4. refer the matter back to the committee or to the Cabinet for consideration.

No other motion shall be permitted.

Part Four - A. Council Standing Orders

- (e) The right of reply shall extend only to the mover of a submission from the Executive or a report from committee. A member moving any other motion during debate shall not have a right of reply.
 - (f) Debate shall be closed on the Mayor calling on the mover of the submission or report to reply.
- 21.03 (a) If, in the course of debate, an amendment is carried to which two members of the Cabinet signal their objection, then the Mayor will enable the debate on the submission to continue and any further amendments to be dealt with. However, at the conclusion of the debate on the submission the Mayor will ask the Council to indicate that it is minded to approve the submission as amended (including the amendment or amendments to which two or more cabinet members have signalled their objection). The Mayor will then allow any other 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.
- 21.03 (b) At least five working days shall elapse before the meeting of the Council reconvenes and in that period the Executive shall meet to consider the submission and the amendments which the Council wishes to make. At the reconvened meeting of the Council the submission which the Council was minded to approve shall be brought before the meeting.
- 21.03 (c) It may be accompanied by amendments put forward by the Executive or a statement from the Executive setting out the Executive's objection to the amendment or amendments which the Council has made. The Council will consider the submission and any further proposed amendment or amendments or any such statement from the Executive. After such consideration and any further amendment or amendments it will be open to any member to move that:
- the submission be confirmed (including any amendment or amendments to which the Cabinet objected and including any other amendments agreed);
- or
- that the submission be adopted as amended at the second meeting.
- 21.03 (d) This procedure shall not apply to any submission which falls under Sections 52 I, 52 J, 52 T, or 52 U of the Local Government Finance Act 1992.
- 21.03 (e) The decision of the Council after the process in this Standing Order has been observed shall be final.

22. Motions

Motions for debate at Council meetings may be either:

- (a) for main debate (under standing order 24)

- (b) for general debate (any motion at a Council meeting not covered by Standing Order 21 (a), (c) or (d));
- (c) for limited debate on formal amendments to budgetary and strategy framework reports put forward by the Executive (known as “mini-amendments”); or
- (d) to enable the Council to proceed to the next item of business.

23. General Limitations to all Motions

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

23.01 Negatived Motions

No motion shall be moved to the same effect as any motion that has been negatived within the preceding six months. This is provided that this standing order shall not apply to a motion to adopt a recommendation of the Cabinet or a committee.

23.02 Form of Motion or Amendment to Increase Expenditure

No member of the Council 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 Cabinet.

23.03 Relevance of Motion or Amendment

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.

23.04 Relevance of Amendment

Every amendment shall be relevant to the motion.

23.05 Terms of Motion or Amendment to be Stated

Upon any members of the Council rising to make a motion or propose an amendment, they shall state the terms of such motion or amendment, and shall be precluded from speaking in support until they have so stated their proposal.

23.06 Amendments to be Dealt With Individually

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 which a further amendment may be moved.

23.07 No Right of Reply when Amendment is Carried

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

23.08 Members to Speak only Once

Except as otherwise specifically provided by standing orders, no member shall address the Council more than once on any motion or on any amendment.

24. Motions for Main Debate

Process

24.01 Notice of Motion

A notice of motion for main debate shall:

- (a) be in writing
- (b) be signed by two members, one as mover and the other as seconder;
- (c) reach the Town Clerk and Chief Executive no later than the sixth working day before the day of the meeting at which it is to be submitted.

24.02 Notice of amendment to a motion for main debate

An amendment to a motion for main debate shall:

- (a) be in writing
- (b) be signed by two members, one as mover and the other as seconder;
- (c) reach the Town Clerk and Chief Executive no later than noon on the day of the meeting.

24.03 Receipt of notice of motion and notice of amendment

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

- (a) be dated and numbered as received.
- (b) be entered in a book to be retained for that purpose by the Town Clerk and Chief Executive, which book shall be open to personal inspection by every member.
- (c) appear on the agenda, with the names of the mover and seconder, in the order in which they are received (save 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 and in the order in which they are received).

(d) be excluded from the agenda paper if the Mayor deems it to be out of order and so instructs the Town Clerk and 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 member concerned shall be so informed.

Limitations

24.04 One notice of motion for main debate

No member of the Council shall sponsor more than one notice of motion for main debate or amendment thereto on the agenda at the same time, whether as mover or seconder.

24.05 Withdrawal of Motion or Amendment

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.

Procedure in debate

24.06 Order in which motions are debated

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 fall. The Council may also vote on the order in which any proposed amendments to a motion are debated.

24.07 Motion to be moved and seconded

A motion for main debate of which notice has been given or a proposed amendment thereto of which notice has been given shall be moved and seconded by the members who have given notice or, with the consent of the Council, by any other member.

24.08 Right to Speak – Secunder of Motion

No motion for main debate or motion for amendment shall be discussed unless it has been seconded, but any member, when seconding a motion or amendment, if he or she then declares their intention to do so, may reserve their speech until a later period in the debate.

24.09 Reference to Cabinet or Committee

Where any motion of which notice has been given has been moved and seconded any member may formally move that the motion be referred to the Executive 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.

24.10 Length of Speech – Mover of a Motion

The mover of a motion for main debate or of an amendment thereto may speak for up to ten minutes.

24.11 Right of Reply – Relevant Cabinet Member

The relevant Cabinet Member or the Chairman of the relevant committee or someone nominated by him or her shall, provided he or she has not already spoken, have the right to speak when called upon by the Mayor, immediately before the mover of the motion or amendment exercises his or her right of reply. He or she may speak for up to ten minutes.

24.12 Right of Reply – Mover of Motion

The mover of a motion or of an amendment shall have a right of reply and may speak for up to five minutes. However, he or she will confine himself or herself to answering previous speakers and shall not introduce any new matter in to the debate.

25. Motion for general debate

25.01 Notice of Motion in General Debate

A notice of motion for general debate shall:

- (a) be in writing
- (b) be signed by two members, one as mover and the other as seconder, unless the motion is in respect of a submission or report tabled in accordance with Standing Order 20, moving that the submission or report be received;
- (c) reach the Town Clerk and Chief Executive before the item to which it relates is reached unless it relates to a budgetary or strategy framework report in which case it must reach the Town Clerk and Chief Executive no later than noon, two working days before the meeting at which it is to be submitted.

25.02 Notice of amendment to a motion for general debate

An amendment to a motion for general debate shall:

- (a) be in writing

- (b) be signed by two members, one as mover and the other as seconder;

Limitations

25.03 No member of the Council shall sponsor more than one notice of motion for general debate or amendment thereto on any individual agenda item at the same time, whether as mover or seconder.

25.04 Withdrawal of Motion or Amendment

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.

Procedure in debate

25.05 Right to Speak – Secunder of Motion

No motion for general debate or motion for amendment shall be discussed unless it has been seconded, but any member, when seconding a motion or amendment, if he or she then declares their intention to do so, may reserve their speech until a later period of the debate.

25.06 Reference to Cabinet or Committee

Where any motion of which notice has been given has been moved and seconded any member may formally move that the motion be referred to the Executive 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.

25.07 Length of Speech – Mover of a Motion

The mover of a motion or of an amendment in general debate may speak for up to five minutes.

25.08 Right of Reply – Relevant Cabinet Member

The relevant Cabinet Member or the Chairman of the relevant committee or someone nominated by him or her shall, provided he or she has not already spoken, have the right to speak when called upon by the Mayor, immediately before the mover of the motion or amendment exercises his right of reply. He or she may speak for up to five minutes.

25.09 Right of Reply – Mover of a Motion

The mover of a motion in general debate or of an amendment thereto shall have a right of reply and may speak for up to five minutes. However, he or she will confine himself or herself to answering previous speakers and shall not introduce any new matter in to the debate.

26 Motion for Limited Debate on a Formal Amendment to the Budgetary and Strategic Framework Reports put forward by the Executive (“Mini-Amendment”)

Process

26.01 Notice of Motion for Limited Debate

A notice of motion for limited debate shall:

- (a) be in writing;
- (b) be signed by two members, one as mover and the other as seconder;
- (c) reach the Town Clerk and Chief Executive (with a copy sent also to the relevant Cabinet Member) no later than noon, two working days before the meeting at which it is to be submitted;
- (d) appear, with the names of the mover and seconder, on the agenda in the order in which they are received.

Limitations

26.02 If the proposer of a motion for limited debate is not present at the meeting of the Council when his or her motion is called, the amendment will be deemed to have been withdrawn.

26.03 The provision in Standing Orders to propose a motion for limited debate shall not preclude amendments being proposed under Standing Orders relating to general debate. However, The Mayor may deem out of order any motion for limited debate which seeks to repeat a point dealt with by another motion for limited debate or general debate and the motion so deemed shall not be considered by the Council.

Procedure in Debate

26.04 Acceptance of Amendments without Debate

Before any motions for limited debate are formally moved, the Mayor will offer the Cabinet member presenting the report an opportunity to indicate which, if any, of the proposed amendments he or she will accept. The Cabinet member having indicated any such amendments that he or she is willing to accept, the report before the Council shall be deemed to have been so amended and such accepted amendments shall not be debated.

26.05 Right to Withdraw Amendment

The Mayor will then call, in turn, the mover of each amendment which has not been accepted. The mover may withdraw the amendment if he or she so chooses.

26.06 Amendments for Debate to be Moved and Seconded

If the amendment is not withdrawn then the Mayor will call on the proposer and seconder formally to move the amendment.

26.07 Length of Speech – Mover of a Motion

When moved and seconded, the mover of a motion for limited debate may speak for up to two minutes in support of his or her amendment.

26.08 Right of Reply

The Cabinet member may then speak for up to two minutes in reply. No other members may speak.

26.09 Voting by Show of Hands

The Mayor will put the amendment to the vote by a show of hands. No division shall be allowed.

27. Motions to Proceed to the Next Item of Business

During debate any member 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:

- 27.01 If there is an amendment before the Council, he or she shall give the member of the Cabinet or the chairman of the committee (or someone nominated by him or her) the right to reply either at once or at the relevant time. He or she shall then put the amendment to the vote.
- 27.02 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 Cabinet or the chairman of the committee (or someone nominated by him or her) the right to reply either at once or at the relevant time. He or she shall then put the motion to the vote.
- 27.03 Standing orders 38.02 to 38.05 shall not apply to the results of any voting under this standing order.

- 27.04 If a motion under (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.

28. Council Adjournment

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

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.

29. Adjournment and Termination of Meetings

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 20 to 27 shall be deemed to be suspended;
- (b) arrange to put to the meeting seriatim and without discussion all reports (which shall be moved and seconded) and notices of motion appearing in the agenda which remain to be dealt with, taking a vote where appropriate (to the result of which Standing Order 38.02 to 38.05 shall not apply);
- (c) deal at his or her 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.

Any motion or recommendation that is dealt with relating to this paragraph and which is not negated by vote shall stand as approved by and become a resolution of the Council.

Conduct of Debate

30. Conduct of Members

- 30.01 A member shall stand when speaking, address the Mayor, speak strictly on the question under debate and conform to the orders of the Mayor.
- 30.02 A member shall not indulge in tedious repetition, irrelevance or unbecoming language, nor shall he or she impute motives to or make reflections of a personal character upon any other member or members.
- 30.03 No member shall interrupt another member except in accordance with Standing Order 32 or 33.

31. Precedence of Mayor

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

32. Points of Order and of Personal Explanation

32.01 Members 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 members 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.

32.02 In any debate, members may, by rising in their place, seek to give a personal explanation of some conduct or speech of theirs that they consider has been misrepresented by the member then speaking. The latter may give way or may decline the interruption until the conclusion of his or her own speech.

33. Intervention by a Member during speech

33.01 A member speaking shall have discretion to give way to an intervention by another member. (*The operation of this Standing Order shall be reviewed at the end of 2008.*)

34. Length of Speeches

Except as otherwise provided in these standing orders, no member shall speak for longer than five minutes unless he or she has the consent of the Council.

35. Breach of Order

35.01 The Mayor shall call a member to order for any breach of order and may direct such member, if speaking, to discontinue his or her speech.

35.02 In the event of disorder in the Council or of a persistent disregard of the authority of the chairman, any member may move that a member causing such disorder or disregarding such authority is not heard further. If seconded, the motion will be voted on without discussion. If a member continues to behave improperly after such a motion is carried, any member may move either that the member leave the meeting or that the meeting be adjourned for a specified period. If seconded, the motion will be voted on without discussion.

36. Disorder

36.01 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.

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

37. Voting by Majority

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

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

38. Voting and Divisions

38.01 Show of Hands

The vote of the Council on any question shall, unless in any case otherwise provided by statute or by standing orders, in the first instance be taken by a show of hands and the Mayor shall declare the result.

38.02 Divisions

Except as otherwise provided in these standing orders, after the declaration of the result, a division shall be ordered if nine members rise in their places and claim the same. If the number rising to claim a division be less than nine, any member voting in the minority or abstaining shall, at his or her request, have their name recorded in the minutes of the Council.

38.03 Divisions, Mode of Procedure

Before a division is taken, a bell shall be rung in the vestibule and members' rooms to allow members to enter the Council chamber, and at the expiration of one minute, the doors shall be closed and the question before the Council shall be again put by the Mayor. No member shall enter or leave the Council chamber after the doors have been closed until the conclusion of the division. The division shall proceed as follows:

- (a) All members wishing to record their vote must be seated in their allotted seat in the Council chamber.
- (b) Upon the instruction of the Mayor, members shall press the voting button in the bench upstand in front of them and if in favour of the question shall vote "Aye" and if against the question shall vote "No" and if wishing to abstain from voting shall vote "Not Voting".
- (c) The Town Clerk and Chief Executive shall, on the instruction of the Mayor, operate the record switch and obtain the voting record that shall be handed to the Mayor who shall declare the result of the division. Copies of the record shall be provided to the whips during the course of the meeting.

38.04 Divisions, Alternative Mode of Procedure

In the event of the vote counting equipment not operating, the following procedure shall then apply.

- (a) The Mayor shall appoint one teller for the "Ayes" and one teller for the "Noes" to watch the recording of the votes by the Town Clerk and Chief Executive.
- (b) The Town Clerk and Chief Executive shall call over the names of the members of the Council, and each member present shall, on his or her name being called, rise in their seat and if in favour of the question, shall say "aye", and if against the question, shall say "no", but if wishing to abstain from voting shall say "not voting".
- (c) The Town Clerk and Chief Executive shall record the answers of those present on a list of members, which shall be signed by the tellers and then handed to the Mayor, who shall declare the result of the division.

38.05 Names to be Recorded after a Division

The names of all members present and voting on a division, together with the names of those present who abstain from voting, shall be recorded in the minutes of the Council, showing those who voted "Aye", "No" or "Abstained".

38.06 Names to be Recorded after a Show of Hands

Where any member so requires, there shall be recorded in the minutes whether that member cast his or her vote for the question or against the question, or whether they abstained from voting.

Miscellaneous

39. Arrangements for the Discharge of Urgent Matters between Meetings

39.01 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:

39.02 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) Article 4.04(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, his or her agreement for such action as he or she deems necessary, only after having sought and received in writing the observations of the relevant member(s) of the Cabinet and the chairman of the relevant scrutiny committee on the action he or she proposes to authorise;
- (ii) and Article 4.04(l) (appointment of members to non-executive committees).

Any action under this standing order shall be deemed to have been authorised by the Town Clerk and Chief Executive.

39.03 In respect of matters within a committee's terms of reference:

- (a) The chairman of a Council appointed committee may signify, in writing, his or her authorisation for such action as he or she deems necessary only after having sought and received in writing the professional advice of the relevant chief officer. In such an event, the decision made shall be deemed to be that of the relevant chief officer.
- (b) If the offices of chairman or vice-chairman of a Council appointed committee are vacant or if the chairman and vice-chairman are absent, such action may be authorised by the Mayor or Deputy Mayor.

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

40. Personal Interests

40.01 Members shall comply in all respects with the requirements of the Members' Code of Conduct relating to the registration and disclosure of personal interests and to participation at meetings and in decision-making in cases where they have prejudicial interests.

40.02 The Director of Strategy and Service Improvement shall put an item on the agenda page for all formally convened meetings to enable members to disclose any personal interests at the outset of the meeting. When an agenda item is reached, any member who has disclosed a personal interest which is also a prejudicial interest in that item may make representations, answer questions or give evidence but must then withdraw from the meeting room before the matter is discussed and before any vote is taken.

41. Resolution in the Nature of a Standing Order

Where the Council passes a resolution which is in the nature of a standing instruction or order, the Administration Committee shall in due course submit to the Council a suitably worded standing order or amendment of existing standing orders giving effect to the resolution.

42. Chairman and Vice-Chairman

42.01 At the first meeting of a newly-appointed committee and at the first meeting of a committee after the Annual Meeting of the Council, the first business shall be to appoint a chairman and a vice-chairman for the ensuing year.

42.02 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 Town Clerk and Chief Executive.

43. Special Meetings

The Mayor or the chairman of a committee may, through the Town Clerk and Chief Executive, call a special meeting of a committee at any time. The notice

shall set out the business to be considered at such special 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 special meetings shall be available for public inspection from the date and time at which the meeting is convened.

44. Quorum of the Cabinet, Committees of the Council and Other Forums

44.01 No business shall be transacted at any meeting of the Cabinet unless the Leader (or in his or her absence the Deputy Leader) and two other members of the Cabinet are present or in the absence of both the Leader and Deputy Leader, unless five Cabinet Members are present.

44.02 Except where otherwise laid down in the Constitution, no business shall be transacted at any meeting of a committee of the Council unless three members of that committee are present and in the case of any meeting of a non-executive advisory group, unless two members of the group are present.

45. Powers and Duties of Chairman

45.01 The chairman shall decide all questions of order and his or her ruling on all questions of order or upon matters arising in debate shall be final and shall not be open to discussion. He or she 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.

Cancellation of meeting

45.02 The Chairman 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 Chairman following consultation with other members of the committee . If the meeting is postponed where possible no less than 5 clear working days notice shall be given of the new date for the meeting.

46. Application of Standing Orders

46.01 Standing orders shall, with any necessary modifications, apply to meetings of the Cabinet.

46.02 Standing orders shall, with any necessary modifications, apply to meetings of committees and non-executive advisory groups.

46.03 Necessary modifications referred to shall include references to "the Mayor" being read as references to "the Leader" or "the chairman" as appropriate and references to the Council being read as references to "the Cabinet", "the committee" or "the non-executive advisory group" as appropriate.

Reports by Officers

47. Reports to Council

All reports by officers to the Council shall be made in writing except in cases of urgency, when an oral statement may be made. Such statement shall be put into writing immediately after the meeting at which it is made. All reports from officers, whether in writing or orally, shall be submitted either by the Town Clerk and Chief Executive or the Chief Finance Officer or Monitoring Officer.

48. Reports to Committees

The reports of officers to committees shall ordinarily be in writing and a copy, with any associated documents, sent to each member with the agenda, except where:

- (a) time does not permit; or
- (b) the Leader or the chairman of the Council committee agrees that reports of a statistical nature or containing routine lists may be placed in a book or books specially kept for the purpose (placed on the table in the committee room not less than 30 minutes before and retained throughout the meeting) and that the relevant executive director, director or other officer shall be available to answer any questions on it; or
- (c) the committee so orders.

49. Publication of Reports

Each report by an officer which is to be considered in public at ordinary meetings shall be made available for public inspection as soon as it has been sent to members with the notice convening a meeting.

50. Suspension of Standing Orders

The operation of any standing order may be suspended by resolution of the Council carried by a majority of the members present and voting.