

Part 4

Rules of Procedure

Chapter 4.1 - Rules of Procedure

4.1 COUNCIL PROCEDURE RULES

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1. ANNUAL MEETING OF THE COUNCIL

1.1 Timing and Business

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in May.

The annual meeting will:

- (a) elect a person to preside if the Mayor or Deputy Mayor of Council are not present;
- (b) elect the Mayor of Council;
- (c) elect the Deputy Mayor of Council;
- (d) approve the minutes of the last meeting;
- (e) receive any announcements from the Mayor or chair of the meeting;
- (f) note the decision of the Leader as to the number of Members of the Executive; who he or she has appointed to those roles; the scope of their respective portfolios and the terms of delegation to them and Officers;
- (g) appoint at least one Overview and Scrutiny Committee, a Councillor Conduct Committee and such other bodies as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions;
- (h) agree the scheme of delegation;
- (i) approve a programme of ordinary meetings of the Council for the year;
- (j) consider any urgent business set out in the notice convening requiring consideration at the meeting; and
- (k) agree the calendar for Council bodies for the year.

1.2 Selection of Councillors on Committees and Outside Bodies

At the Annual Meeting, the Council meeting will:

- (i) decide which member level bodies to establish for the municipal year;
- (ii) decide the size and terms of reference for those bodies;
- (iii) decide the allocation of seats to political groups in accordance with the political balance rules;
- (iv) receive nominations of councillors to serve on each council and outside body; and
- (v) appoint to those council bodies and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the executive.

1.3 Role of Annual Council Meeting when there has been an ordinary election

At the first annual meeting after an ordinary election of Councillors the following shall apply in addition to the above:

- (i) elect a Leader to serve for a four-year term or until the next annual meeting after ordinary whole Council elections;
- (ii) note the appointment by the Leader of his or her Deputy Leader to serve for the four-year term;
- (iii) note the Leader's decision as to the number of executive Members, their respective functions and any other executive changes the Leader may have made.

1.4

~~If such a resolution is passed the Council should elect a new Leader at the same meeting, otherwise the Deputy Leader is to act in his place until such time as a new Leader can be elected~~

2. ORDINARY MEETINGS

2.1 Frequency of Council Meetings

Ordinary meetings of the Council will take place in accordance with the calendar decided at the Council's annual meeting.

2.2 Order of Business

The order of business at ordinary meetings of the Council will be as follows:

- (a) elect a person to preside if the Mayor and Deputy Mayor are not present;
- (b) Mayor's announcements;
- (c) to approve as a correct record and sign the minutes of the last meeting of the Council;
- (d) receive any declarations of interest from members;
- (e) to deal with any business required by statute to be done before any other business;
- (f) to receive and consider any Petitions referred to Council in accordance with Rule 35
- (g) Opposition Business under Rule 15
- (h) to deal with any other business expressly required by statute (not required under (c) above); or specified in the summons including reports from the Executive, Proper Officers, Overview and Scrutiny Committee, Audit Committee, Councillor Conduct Committee or other Joint Bodies & Partners
- (i) to answer questions asked under Rule 10;
- (j) to consider motions; and
- (k) other business, if any, specified in the summons.

Items (a), to (e) above shall not be displaced ~~(except in the case of the Annual General Meeting)~~, but items ~~(d)~~ (f) to (j) above may be varied ~~by~~ in accordance with rule 4 below.

2.3 Removal of Leader

The Leader can be removed by a majority vote of the Council. If such a resolution is passed the Council should elect a new Leader at the same meeting; otherwise the Deputy Leader is to act in his/her place until such time as a new Leader can be elected.

3. EXTRAORDINARY MEETINGS

3.1 Calling Extraordinary Meetings

~~Those listed below may request the Assistant Director, Corporate Governance to call Council meetings in addition to ordinary meetings:~~

An extraordinary meeting may be called at any time by the Mayor. Such a meeting may also be called by:

(a) the Council by resolution;

The Council may resolve to call an extraordinary meeting to consider issues of importance to the Borough and it may invite any person of relevant experience or knowledge to address the Council meeting on the chosen issue.

(b) ~~the Mayor of the Council;~~

(c) ~~the Proper Officer~~ Chief Executive; and

(d) any five ~~members of the Council~~ councillors if they have signed a requisition presented to the Mayor and ~~he/she~~ the Mayor has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

3.2 Business

The business to be carried out at an Extraordinary meeting shall be restricted to those items referred to in the notice convening the meeting, unless the ~~Council~~ Mayor decides otherwise.

4. COUNCIL AGENDA TIMING

(a) The timings and order of business for items to be considered on the agenda at each Ordinary or Extraordinary Council meeting will be set out in the agenda. This shall be put forward by the Administration, having consulted with the main Opposition Group on the Council and with the Mayor, with a view to reaching consensus on the planning of the meeting.

(a)(b) The timings and order of business agreed will be adhered to during the Council meeting. However if, during the meeting, the Mayor agrees that amendment of the timings or the order of business is justified, a motion to vary them may be put to the meeting in accordance with Rules 9.2, 13(m) and 14.10(c). Such a motion shall specify how the remainder of the business is to be

dealt with and may include an extension of the meeting under rule 9.3.

5. TIME AND PLACE OF MEETINGS

The time and place of meetings will be determined by the Monitoring Officer and notified in the summons.

6. NOTICE OF AND SUMMONS TO MEETINGS

The Monitoring Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a meeting, the Monitoring Officer will ~~send~~issue a summons signed by him or her to every ~~member of councillor~~. The summons will be issued in electronic format to councillors who have consented to receiving it in this format and will be provided in hard copy to the Council or leave it at their usual place of residence or other agreed place address they have registered for this purpose for those who have not. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

7. CHAIR OF MEETING

The person presiding at the meeting may exercise any power or duty of the chair. Where these rules apply to meetings other than full Council, this also includes the chair of those meetings.

8. QUORUM

- (a) The quorum for any meeting of the Council is at least one quarter of the whole number of Members of the Council - that is 16 councillors, based on a current membership of 63 councillors;
- (b) No business will be considered at a meeting of the Council unless there is a quorum present. If during any meeting the Mayor, after counting the number of councillors present, declares that there is not a quorum present, the meeting will be adjourned. Any business not carried out will be adjourned to a time fixed by the Mayor at the time the meeting is adjourned, or, if he or she does not fix a time, to the next ordinary meeting of the Council.

89. DURATION OF COUNCIL MEETINGS & GUILLOTINE PROCEDURE

- 9.1** All council meetings will start at 7.00pm, unless the Mayor decides otherwise. They, and will finish at the time specified in the agenda, which shall not be later than 10.15pm or 3 hours after the completion of Mayor's Announcements, whichever is the later.

9.2 Meetings can be extended under ~~Rule 13(m)~~ for additional periods of no more than 30 minutes each, if agreed by Council, but this should only be in exceptional cases.

9.3 If the business on the agenda has not been completed at the time the Council meeting is due to finish ~~(see above)~~, the following procedure will apply:

Motions and Reports

- (a) Any motions or reports under debate (including any amendments) shall be voted upon without further discussion. Voting shall be by a show of hands and no roll call shall be taken;
- (b) Motions not yet considered will lapse unless referred by the Mayor to another council body. A lapsed motion does not imply consent or dissent by the Council meeting;
- (c) The Mayor shall put reports not yet considered, to the Council all together, without debate, question or comments from the meeting, although points of accuracy or reference on to another body will be permitted, as will a statement by the Leader of the Opposition as to whether they would have voted for or against adoption of the report.

Other Business on Agenda

- (d) The Mayor shall then put to the meeting, in sequence and without debate, each further remaining item of business on the agenda. No procedural or other motion, question, comment or debate shall be permitted. Answers to questions not yet asked will be taken as printed on the agenda papers; and

Nominations to Outside Bodies and Council Memberships

- (e) The Council will be deemed to have agreed memberships of Council bodies (except Cabinet appointments) and nominations to outside organisations in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

10. QUESTIONS

10.1 General

All questions at the Council meeting must relate to the Council's powers or matters that affect the Borough. Questions will be put and answered without debate. The question must specify the relevant councillor who is being asked to respond. In the case

of any doubt the Monitoring Officer, in consultation with the Mayor, will decide the appropriate councillor to respond.

10.2 Questions from Councillors

(a) Questions requiring a written response

~~Any Councillors may ask questions at each Council meeting, which may be directed to the Leader, a Cabinet Member, Associate Cabinet Member, Overview and Scrutiny/Scrutiny Workstream Chair or Statutory Committee Chair.~~

~~Councillors can also ask direct their questions of to a councillor serving on the following outside bodies: -~~

- London Councils
- Lee Valley Regional Park Authority
- Local Government Association – ~~General Assembly~~
- North London Waste Authority
- ~~London Fire and Emergency Planning Authority~~
- Enfield Strategic Partnership

~~This list will be kept under review by the Monitoring Officer and Party Whips.~~

~~The shall be a limit of 20 questions per party group and one question each for independent councillors~~

~~Questions must be submitted in writing to the Monitoring Officer by noon 15-9 calendar days prior to the meeting in question. This should include both the name of the councillor asking the question and the councillor to whom it is addressed. 30 minutes will be set aside at each meeting for such questions, although the Council may agree to extend this time, subject to this being moved and seconded and the duration of the proposed extension being stated at the time. In addition, 15 minutes be allocated to questions asked of councillors serving on outside bodies. If there are no questions to outside body representatives this extra 15 minutes will not be required.~~

~~If a councillor who has submitted a question is unable to be present, the Mayor will take it as printed on the agenda.~~

~~All answers to questions will be in writing and will be included on the agenda for published online and circulated to members via email by during the working day before the relevant meeting. Questions to Cabinet Members will be listed first on Council agendas. One supplementary question will be allowed, which but this must relate to the subject matter of the written question.~~

The answer to a supplementary question should preferably be given orally at the meeting. Written responses will be permitted if research is required, or the information is not immediately available, and should be circulated to all members via email within 12 working days of the Council meeting.

If the councillor to whom the question has been ~~asked~~addressed is not present at the council meeting, another councillor may answer any supplementary question in his/her place. If the councillor asking the question is absent, he/she may nominate another councillor to ask a supplementary question.

(b) Urgent Questions by Councillors

With the permission of the Mayor, questions on urgent issues may be tabled with the proviso of a subsequent written response if the issue requires research or is considered by the Mayor to be minor.

Such questions shall, if possible, be delivered in writing to the Monitoring Officer by no later than 12 noon on the day ~~of~~before the meeting.

An urgent issue is one which could not reasonably have been foreseen or anticipated prior to the deadline for the submission of questions and which needs to be considered before the next meeting of the Council. Submission of urgent questions to Council requires the councillor when submitting the question to specify why the issue could not have been reasonably foreseen prior to the deadline and why it has to be considered before the next meeting. ~~A supplementary question will not be allowed.~~

One supplementary question for oral response at the meeting will be allowed.

11. MOTIONS WITH NOTICE

11.1 Every motion shall relate to the Council's powers or duties or an issue that affects the Borough. With the exception of those Motions which may not be moved without notice (rule 13) under Paragraph 11, notice of each Motion shall be in writing ~~and signed by the councillor(s) giving the notice.~~ The notice shall be delivered to the Monitoring Officer at the latest ~~(12 by noon)~~ 12 calendar days prior to the Council meeting. Where a Group submits more than one motion at any one time, it shall indicate the order in which it wishes them to be considered.

11.2 On receipt of a notice of motion, the Monitoring Officer shall arrange for it to be dated, and numbered in the order of receipt ~~and entered in a book.~~ A record of these Motions will be kept by

the Monitoring Officer, which shall be open to inspection by every councillor.

- 11.3 The Monitoring Officer shall set out in the summons for every meeting ~~(other than an extraordinary meeting)~~ all motions of which notice has been given, in the order in which they have been received, unless the councillor concerned stated in writing, when giving it, that he or she proposes to move it at some later meeting, or has since withdrawn it in writing.
- 11.4 If a motion set out in the summons is not moved and seconded, either by a councillor who gave the notice or by some other councillor, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 11.5 If the subject matter of any motion set out in the summons comes within the provinceremit of any appropriate Council body it shall, upon being moved and seconded formally without supporting speeches, stand referred without discussion to such body. The Mayor however may allow the motion to be dealt with at the Council meeting at which it is moved, if he/she feels it is more convenient and conducive to the dispatch of business.

11.6 **EmergencyUrgent Motions**

Any councillor may move an emergencyurgent motion relating to an urgent matterissue immediately prior to the commencement of Motions. The subject matter should relate to an issue to which the Council has powers or duties or which affects the Borough.

Any councillor intending to propose such a motion shall, if possible, deliver the text to the Monitoring Officer not later than 12 noon on the day ~~of~~before the meeting. The motion shall not be debated unless it is seconded and the Mayor agrees that it involves an urgent issue of which notice under paragraph ~~40.111~~ of this Constitution could not reasonably have been given. An urgent issue is defined as one which could not reasonably have been foreseen or anticipated prior to the deadline for the submission of Motions and that it cannot await which needs to be considered before the next meeting of the Council (see paragraph 9.2(b) for definition of an urgent issue).

12. REPORTS TO THE COUNCIL

- 12.1 The Council will receive reports from a variety of sources:
- Cabinet - Individually and collectively
 - Proper Officers
 - Councillor Conduct Committee
 - Audit Committee
 - Overview and Scrutiny Committee

- Reports/Presentations by external agencies on matters considered to be important to Borough residents and or specific communities of interest.

12.2 All reports shall comply with the Council's current requirements for the preparation of reports.

12.3 All reports will have officer advice stated fully and clearly in the reports before the Council. Councillors will lead debate in Council meetings and will address themselves to other councillors through the Mayor. Relevant councillors will be responsible for their recommendations to Council and for ensuring that necessary action flows from Council decisions.

12.4 Reports to the Council will be moved and seconded. The mover of a report and the first speaker for the Opposition may speak for 5 minutes. No subsequent speech may exceed 3 minutes without the consent of the Mayor. The mover of the report will have a right of reply at the end of the debate immediately before the report is put to the vote. A maximum of 2 minutes is to be allowed for the right of reply.

12.5 As an exception to the above rule the Leader of the Council (or a nominated representative) may speak for a total of 10 minutes when moving the budget setting report. The Leader of the Opposition (or a nominated representative) will also be allowed 10 minutes to respond following the budget setting report having been moved and seconded. Normal rules will then apply for the remainder of the debate.

12.6 On any new matters presented to Council by the public and any partner organisation, the Council will reserve its position subject to adequate consideration and advice from the Cabinet, the Overview and Scrutiny Committee, and relevant officer(s).

13. MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- (a) to appoint a chair of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer to the Cabinet, a committee/sub-committee/panel of the Council or to an external body;

- (e) to appoint a council body or member arising from an item on the agenda for the meeting;
- (f) to receive reports or adoption of recommendations of council bodies or officers and any resolutions following from them;
- (g) to withdraw a motion (open only to the mover of the motion, or any other councillor authorised to do so on his/her behalf. This must be then agreed by the Council, without discussion, and the seconder, if seconded at the time of the request);
- (h) to amend a motion, subject to rule 14.7;
- (i) to proceed to the next business;
- (j) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) that the meeting continue beyond 10.15pm (to vary the timings set out in the agenda, to allow further time for debate on an item or 3 hours after the completion order of Mayor's announcements whichever is business under rule 4; or to extend the later); the meeting under rule 9.2;
- (n) to suspend a particular council procedure rule;
- (o) to exclude the public and press in accordance with the Access to Information Rules;
- (p) to not hear further a councillor named under paragraph 21.3 or to exclude them from the meeting under paragraph 21.4; and
- (q) to give the consent of the Council where its consent is required by this Constitution.

14. RULES OF DEBATE

14.1 The Mayor, subject to these rules, shall call any councillor to speak who has indicated his or her wish to do so, providing this is compatible with the agenda timing.

14.2 No speeches until motion seconded

No speeches may be made until a motion has been moved and seconded.

14.3 Right to require motion in writing

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

14.4 Secunder's speech

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

14.5 Content / length of speeches and Speakers

~~Speeches must be directed to the question under discussion, or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the Mayor. As an exception, the mover of a motion (other than to receive or adopt reports of the Cabinet, a Committee/Sub-Committee or Panel or appropriate officer) may speak for 15 minutes in total, with an option of 5 or 10 minutes for proposing the motion and 5 or 10 minutes in exercising the right of reply. There should be no variations allowed between these two options. A maximum of 10 minutes should be allowed at any one period.~~

The mover of a Motion and the first speaker for the Opposition in response may speak for 5 minutes. No subsequent speech may exceed 3 minutes without the consent of the Mayor. Speeches exercising the right of reply will be limited to 2 minutes.

When the time allotted for the debate on an item is within 5 minutes of its end, the Mayor shall invite (subject to no extension of time having been sought) the mover of the motion and of any amendments to exercise their right of reply prior to the question(s) being put to the meeting.

14.6 When a member may speak again

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

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

- (d) in exercise of a right of reply and to sum up at the end of a debate;
- (e) on a point of order; ~~and~~
- (a) by way of personal explanation;
- (b) In instances where an independent ~~member~~ person presents a report to Council, they will also have the right to contribute to the discussion.

14.7 Amendments to motions, reports or other business

- (a) An amendment ~~to a motion~~ must be relevant to the motion, report or other business being considered and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion or recommendation being considered.

- ~~(b) Only one amendment may be moved and discussed at any one time. However, the Mayor may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this would assist the Council's business. No further amendment may be moved until the amendment under discussion has been disposed of.~~

- (b) The text of any amendment shall, normally, be delivered in writing to the Monitoring Officer no later than 12 noon the day before the relevant meeting.

- (c) The substantive motion or recommendations must be moved and seconded before any amendment can be ~~proposed~~ formally proposed. Amendments will be moved and seconded immediately following the substantive motion, report or other business having been moved and seconded. The Mayor will, however, have the discretion to accept additional amendments moved and seconded during the debate which relate to matters highlighted during the debate on that item at the meeting. If an

amendment is moved during a debate the Mayor may request a short break in order to allow time for consideration of a suitable form of wording and provision of any advice required to Members.

- (d) ~~If an amendment is not carried, other amendments to~~There will then follow a single debate on the original motion may be, report or other item of business and any amendment(s) moved
and seconded. The debate will finish with the right of reply for the mover(s) of any
- ~~(e) If an amendment is carried, the motion as amended takes the place(s) and of the original motion, report or other item of business (2 minutes each).~~
- ~~(e) This becomes~~The amendment(s) will then be voted upon, followed by the substantive motion to which any, report or other items of business (amended or not) without further amendments are moveddebate.
- ~~(f) After~~If an amendment has been is carried, the motion, report or other item of business as so amended takes the place of the original motion, or recommendation(s) in the report or other item of business. The Mayor will then read out the amended motion, recommendation(s) in the report or other item of business before accepting any further amendments, or if there are none, it is put it to the vote as the substantive motion. or recommendation..

14.8 Alteration of motion

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

14.9 Withdrawal of motion

A councillor may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. This consent will be signified without discussion. No councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

14.10 Right of reply

- ~~(a) The mover of a motion has a right to reply at the end of the debate immediately before the motion is put to the vote.~~
- ~~(b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.~~
- ~~(c) To allow the mover of an amendment to also have a right to sum up. Such speeches to be limited to three minutes.~~

[Updated: Council 09/11/11]

12.11 Motions which may be moved during debate

When a motion, report or other item of business is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion or recommendation;
- (b) to amend a motion or recommendation;
- (c) to amend the timings or the order of business under rule 4 to allow further time for debate;
- ~~(d) to proceed to the next business;~~
- ~~(de) that the question be now put;~~
- ~~(e) to adjourn a debate;~~
- (f) to adjourn a debate;
- ~~(g) to adjourn the meeting;~~
- ~~(g) that the meeting continue beyond 10.15pm (or 3 hours after the completion of Mayor's announcements, whichever is the later);~~
- ~~(h) to allow further time for debate on the item and to vary the timings set out in the agenda under rule 4; and/or to extend the meeting under rule 9.2;~~
- (i) to exclude the public and press in accordance with the Access to Information Rules; and
- (ij) to not hear further a councillor named under Rule 21.3 or to exclude them from the meeting under Rule 21.4.

14.11 Closure motions

- (a) A councillor may move, without comment, the following motions at the end of a speech of another councillor:

- (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, he or she will then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will put the motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote.

~~(c)(a) When the time allotted for the debate on an item is within 5 minutes of its end, the Mayor shall invite (subject to no extension of time having been sought) the mover of the motion and of any amendments to exercise their right of reply prior to the question(s) being put to the meeting.~~

14.12 Point of order

A councillor may only raise a point of order at the end of the speech to which it relates. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The councillor must indicate the rule or law and the way in which he/she considers it has been broken. The councillor's speech will be limited to 1 minute, with any additional time to be agreed at the discretion of the Mayor. The ruling of the Mayor on the matter will be final.

14.13 Personal explanation

A councillor may only make a point of personal explanation at the end of the speech to which it relates. A personal explanation may only relate to some material part of the earlier speech by the councillor, which may appear to have been misunderstood in the present debate. The councillor's speech will be limited to 1 minute, with any additional time to be agreed at the discretion of the Mayor. The ruling of the Mayor on the admissibility of a personal explanation will be final.

15. OPPOSITION BUSINESS

- 15.1 The Council will, at four meetings a year, give time on its agenda to issues raised by the Official Opposition Party (second largest party). This will be at the ~~1st-first normal business meeting (in May/June)~~, and then the ~~3rd,third (NovemberSeptember)~~, ~~4th-fifth (January)~~ and ~~6th-seventh meetings out of the 7 (March) ordinary meetings programmed each year (, unless otherwise agreed between the political parties).~~ A minimum of 45 minutes will be set aside at each of the four meetings.
- 15.2 All Council meetings will also provide opportunities for all parties and individual members to raise issues either through Question Time, motions or through policy and other debates.
- 15.3 The procedure for the submission and processing of such business is as follows:
- (a) The second largest party shall submit to the Monitoring Officer a topic for discussion no later than 21 calendar days prior to the Council meeting. This is to enable the topic to be fed into the Council agenda planning process and included in the public notice placed in the local press, Council publications, plus other outlets such as the Council's web site.
 - (b) The Monitoring Officer will notify the Mayor, Leader of the Council, the Chief Executive and the relevant Corporate Management Board member(s) of the selected topic(s).
 - (c) Opposition business must relate to the business of the Council, or be in the interests of the local community generally.
 - (d) If requested, briefings on the specific topic(s) identified will be available to the second largest party from the relevant Corporate Management Board member(s) before the Council meeting.
 - (e) No later than 9 calendar days (deadline time 9.00 am) prior to the meeting, the second largest party must provide the Monitoring Officer with an issues paper for inclusion within the Council agenda. This paper should set out the purpose of the business and any recommendations for consideration by Council. The order in which the business will be placed on the agenda will be in accordance with Council Procedure Rule 2.2 relating to the order of business at Council meetings.
 - (f) That Party Leaders meet before each Council meeting at

which Opposition Business was to be discussed, to agree how that debate will be managed at the Council meeting

- (g) The discussion will be subject to the usual rules of debate for Council meetings, except as set out below. The Opposition business will be conducted as follows:
 - (i) The debate will be opened by the Leader of the Opposition (or nominated representative) who may speak for no more than 10 minutes.
 - (ii) A nominated councillor from the Majority Group will be given the opportunity to respond, again taking no more than 10 minutes.
 - (iii) The Mayor will then open the discussion to the remainder of the Council. Each councillor may speak for no more than 5 minutes but, with the agreement of the Mayor, may do so more than once in the debate.
 - (iv) At the discretion of the Mayor the debate may take different forms including presentations by members, officers or speakers at the invitation of the second largest party.
 - (v) Where officers are required to make a presentation this shall be confined to background, factual or professional information. All such requests for officer involvement should be made through the Chief Executive or the relevant Director.
 - (vi) The issue paper should contain details of any specific actions or recommendations being put forward for consideration as an outcome of the debate on Opposition Business.
 - (vii) Amendments to the recommendations within the Opposition Business paper may be proposed by the Opposition Group. They must be seconded. The Opposition will state whether the amendment(s) is/are to replace the recommendations within the paper or be an addition to them.
 - (viii) Before the Majority party concludes the debate, the leader of the Opposition will be allowed no more than 5 minutes to sum up the discussion.
 - (ix) The Majority Group will then be given the opportunity to say if, and how, the matter will be progressed.

- (x) If requested by the Leader of the Opposition or a nominated representative, a vote will be taken on whether to approve the Majority Group's response.

16. PREVIOUS DECISIONS AND MOTIONS

16.1 Motion to rescind a previous decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 5 councillors.

16.2 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 7 councillors. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

This rule will also apply to any other business (with the exception of items reserved to Council or which require Council approval under the Constitution Procedure Rules) in the same terms as ones that have been debated at a meeting of the Council in the past 6 months. This will exclude items dealt with under the guillotine or Council Questions.

17. VOTING

17.1 Simple Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those councillors voting and present in the room at the time the question was put.

17.2 Mayor's casting vote

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

17.3 Show of hands

Unless a roll call or recorded vote is demanded under paragraph 15.4, the Mayor will take the vote by show of hands, or if there is no dissent, by the confirmation of the meeting.

17.4 Roll Call

——— Before the vote is taken, any councillor may ask for a roll call. That member must be supported by 11 other councillors who show their support by standing in their places. The Mayor shall have discretion to refuse a roll-call if the Mayor considers the request to be abusive or unreasonably to impede the proper discharge of the business of the meeting. The vote shall then be recorded to show how each councillor present cast their vote (or whether they abstained from voting). The Mayor will announce the numerical result as soon as it is known.

17.5 Recorded vote

If 11 councillors present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be recorded in the minutes. A request for a recorded vote will override a demand for a roll call.

17.6 Right to require individual vote to be recorded

Where any councillor requests it immediately after the vote is taken, their vote will be recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

17.7 Recorded voting at the budget decision meeting

(a) Immediately after any vote is taken at the Council's Budget Setting Meeting on any decision relating to the making of a calculation there will be recorded in the minutes of that meeting the names of those voting for or against the decision or who abstained from voting.

(b) For the avoidance of doubt; rule 17.7(a) applies to proposed amendments as well as to a substantive motion.

(c) The voting will be recorded as a roll call under rule 17.4 above.

This is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 2001 (as amended) and cannot therefore be suspended or deleted.

17.8 Voting on appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The

process will continue until there is a majority of votes for one person.

18. MINUTES

18.1 Signing the minutes

The Mayor will sign the minutes of the Council meeting at the next suitable meeting. ~~(This does not have to apply if the next meeting is an Extraordinary one.)~~ The Mayor will move that the minutes of the previous meeting be signed as a correct record. Only points of accuracy can be discussed. Any question of accuracy shall be raised by motion, moved without notice. If no such question is raised or, if it is raised, then as soon as it has been disposed of, the Mayor shall sign the minutes.

18.2 No requirement to sign minutes of previous meeting at extraordinary meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is an extraordinary meeting, then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of Paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes of the Local Authority (Standing Orders) Regulations 1993.

This is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 1993 and cannot be suspended or deleted.

19. RECORD OF ATTENDANCE

All councillors present during the whole or part of a meeting must sign their names in the attendance book prior to the end of each meeting to assist with the record of attendance.

20. EXCLUSION OF PUBLIC

~~18.1 There may occasionally be confidential or exempt matters to be discussed by the Council. In such circumstances, the principles expressed in the access to information requirements of the Local Government Acts 1972 and 2000 will apply.~~ 20.1 Members of the public and press may only be excluded from the meeting either in accordance with the Access to Information Rules in Part 4 of the Constitution or Procedure Rule 21 (Disturbance by Public). Every effort will be made to have the decisions made in the open part of the meeting with reports being split into open and closed confidential or exempt parts.

- 20.2 The specific reason for excluding the press and public will be set out on the agenda (if in accordance with the Access to Information Procedure Rules) and recorded in the minutes.

21. MEMBERS' CONDUCT

21.1 Disclosable Pecuniary Interests

Any councillor who has a Disclosable Pecuniary Interest in any business being considered at a Council meeting must declare that item and leave the room where the meeting is being held whenever it becomes apparent that the business is being or is about to be considered at that meeting, unless the councillor has obtained a dispensation under the Council's dispensation procedure.

21.2 Standing to speak

When a councillor speaks at full Council they must stand (unless unable to do so) and address the meeting through the Mayor. If more than one councillor stands, the Mayor will ask one to speak and the others must sit. Other councillors must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

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

No councillor shall impute unworthy motives to, or use offensive or unbecoming words about another councillor or be guilty of tedious repetition.

21.3 Councillor not to be heard further

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

21.4 Councillor to leave the meeting

If the councillor continues to behave improperly after such a motion is carried, the Mayor may move that either the councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

21.5 General disturbance

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

22. DISTURBANCE BY MEMBERS OF THE PUBLIC

~~20.2~~ 22.1 If a group or an individual member(s) of the public interrupts the proceedings at any meeting, the Mayor shall warn the person(s) concerned.

~~20.2~~ ~~If the person continues the interruption continues,~~ the Mayor shall order ~~his or her~~their removal from the meeting room.

22.2 In case of general disturbance in any part of the room open to the public, or of the premises where meeting is being held, the Mayor shall order that part to be cleared. If in the Mayor's view, this is not practicable and it is not possible to continue the meeting in light of the disturbance, he/she may rule that the meeting adjourn and/or that the meeting should be reconvened in a different venue.

23. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

All of these Council Procedure Rules except 17.6, 17.7 and 18.2 may be suspended by motion on notice or without notice if at least one half of ~~the whole number of members of the Council~~all councillors are present. Suspension can only be for the duration of the meeting.

24. APPLICATION TO COMMITTEES AND SUB-COMMITTEES

All of the Council Rules of Procedure apply to meetings of full Council but not to Cabinet meetings. Rules 5-9, ~~11-13-14, 16-18, 20-24, 30-31 and 33~~ (but not Rule ~~21.1~~)22.2 will also apply to meetings of committees and sub-committees.

25. IMPLEMENTATION OF THE COUNCIL'S DECISIONS

All decisions of the Council will be implemented in the usual way on all matters within the Council's remit.

Matters outside the remit of the Council will be taken forward by the Cabinet and the Corporate Management Board who will work with and make the necessary representations to outside bodies. The Council will be kept informed of any significant action arising out of these matters.

26. RECORDS OF COUNCIL DECISIONS

A brief record of the decisions made by the Council will be made public within 2 calendar days of each meeting. The record will be posted on the Council's web site. Minutes of the meetings will be available within 10 calendar days of the meeting.

27. PUBLICISING COUNCIL MEETINGS

The Council meetings will be well publicised and the public encouraged to attend.

~~Issues likely to be of interest to the public will be communicated prior to the meeting through advertisements in the local and Council press, plus the Council's web site.~~

28. APPOINTMENTS TO OUTSIDE BODIES

Where it is within its power, appointments decided by the Council, including those to outside bodies, will be for the duration of one year. The Council will exercise this power subject to the political balance regulations.

Where the Council is required to appoint to an outside body for a period of more than one year, the Council may at any time withdraw its recognition of the appointee as a representative of the Council.

29. PARTY LEADERS

Each party represented on the Council shall notify the Monitoring Officer of the name of the person selected as that party's leader and the names of all other members of that party group.

~~28. SMOKING AT MEETINGS~~

~~Smoking is prohibited at any meeting of the Council or at any of its other bodies.~~

~~29. MOBILE TELEPHONES~~

~~All mobile telephones and pagers of those present in the Council Chamber shall be switched off for the duration of Council meetings.~~

30. URGENT ACTION

The Leader (or in his or her absence the Deputy Leader) in consultation with the relevant Cabinet member, shall be able to exercise the powers of the Council in any matter of immediate urgency making the prompt exercise of the powers of the Council desirable and which cannot await the next ordinary meeting of the Council. This shall

exclude any matter which the law reserves to the full Council. Decisions made under this provision will be reported to the next meeting of the Council.

31. ~~REPORTS TO THE COUNCIL~~

~~Councillors will lead debate in Council meetings and will address themselves to other councillors through the Mayor. Relevant councillors will be responsible for their recommendations to Council and for ensuring that necessary action flows from Council decisions.~~

~~The Council will receive reports from a variety of sources listed below. All reports will have officer advice stated fully and clearly in the reports before the Council.~~

- ~~• Officers — Corporate Management Board, Chief Executive and individual Directors and other Chief Officers who also report in their own right~~
- ~~• Councillor Conduct Committee~~
- ~~• Audit Committee~~
- ~~• Statutory Reports of the Head of the Paid Service~~
- ~~• Statutory Reports of the Monitoring Officer~~
- ~~• Statutory Reports of the Chief Finance Officer~~

~~All reports will be subject to the current rules of preparation.~~

~~Reports to the Council should be moved and seconded. The mover of a report has a right of reply at the end of the debate immediately before the report is put to the vote. A maximum of 5 minutes is to be allowed for presenting the report and a further 5 minutes for the right of reply.~~

(Updated Council 10/11/10)

~~On any new matters presented to Council by the public and any partner organisation, the Council will reserve its position subject to adequate consideration and advice from the Cabinet, the Overview and Scrutiny Committee, and relevant officer(s).~~

COUNCIL SEATING PLAN

Councillors will be allocated designated places within the Council Chamber during Council Meetings. This seating plan must be adhered to at all times unless prior agreement is reached with the respective party whip and this is notified to the Mayor and the Assistant Director, ~~Corporate Governance~~Monitoring Officer prior to the meeting.

32 FILMING AT MEETINGS

- (a) The filming and recording of the public sessions of any Council, Cabinet, Committee, Panel or Ward Forum meetings through any audio, visual or written methods will be allowed, providing this does not disturb the conduct of the meeting.

- (b) The Chair of the relevant meeting will have the power to withdraw this permission should it prove necessary due to the nature of the meeting or if the conduct of the meeting is disturbed, for example through flash photography, intrusive camera or lighting equipment or the behaviour of the person filming the meeting.
- (c) Subject to (a) and (b) above, reasonable facilities will be provided for anyone wishing to record or film at a meeting. Whilst notice is not formally required anyone intending to film or record at a meeting is asked to contact the relevant meeting administrator in advance of the meeting, so that the Chair, other councillors and any members of the public present can be informed and the necessary arrangements made.
- (d) All those visually recording a meeting must remain in designated areas within the meeting room and are requested to only focus on recording councillors, officers and the public directly involved in the conduct of the meeting. Should any member of the public participating in the meeting object to being filmed then the Chair will make arrangements for that individual to be excluded from the recording.
- (e) Covert recording/filming at meetings will not be permitted and the person filming will be asked to provide an assurance that (a) recordings will include sound and vision; (b) the original version will be available to the Council on request; and (c) that recordings will not be edited in a misleading way.
- (f) If a meeting passes a motion to exclude the press and public then all rights to record the part of the meeting to which the exemption applies will be removed.

33. PETITIONS

In accordance with the Council's Petition Scheme, if a Petition is received which contains at least 1% of the assessed population figure from the 2011 Census (3,124) as published by the Office of National Statistics it will be referred for debate by the full Council, unless it is a petition asking for a senior council officer to give evidence at a public meeting.

The Head of Scrutiny will advise the petition organiser of the date for full Council and the time allowed for presentation of the petition in addition they will seek to clarify the remedy being sought and advise that a councillor can present the petition on their behalf. A report will then be prepared detailing the subject of the petition and what action the Council and/or partner organisations are being asked to take and arrange for this to be included on an appropriate Council agenda that suits all parties.

The petition organiser will be given 5 minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the council executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website

34. INTERPRETATION OF RULES

The ruling of the Mayor as to the construction or application of any of these rules shall not further be challenged at any meeting of the Council.