

PART 4 – RULES OF PROCEDURE
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Procedural Standing Orders for Council and Committees

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Standing Orders of Fylde Borough Council

The Council has made the following Standing Orders in pursuance of its powers under the Local Government Act 1972, Sections 106 and 135 and paragraph 42 of Schedule 12, the Local Government and Housing Act 1989, Section 8, and any other relevant legislation:

1 APPLICATION OF RULES

- 1.1 All of these rules apply to council meetings.
- 1.2 Only some of these rules apply to committee and sub-committee meetings. These are shown in *italics*.
- 1.3 For the avoidance of doubt when a Procedure Rule states that a request should be made in writing then this includes a request submitted by electronic means.

2 REMOTE ATTENDANCE

2.1 Arrangements for remote attendance

- (a) The chairman may make arrangements to allow (as far as the law permits) a member ('M') to participate in a meeting of the council including any committee, if the following circumstances apply
 - (i) M has notified the Deputy Chief Executive in writing no later than the third working day before the meeting of their wish to participate remotely; and
 - (ii) M has notified the Deputy Chief Executive in writing that M has a disability which may prevent M from reasonably being able to attend the meeting in person.
- (b) Any arrangements must ensure so far as possible that any person attending the meeting is able to hear M's contributions as easily as those of members attending in person.
- (c) M has a disability for the purposes of this rule if M has a disability for the purposes of the Equality Act 2010.
- (d) For the avoidance of doubt, at a meeting that M is attending remotely M may not move or second motions or amendments and may not vote or do any other thing that the law only allows to be done by a councillor who is physically present.

2.2 Substitutes

M may be represented by a substitute under rule 22 or 23 at a meeting of a committee of which M is a member but not by remote access means. The substitute for M would be entitled to participate in the meeting in the same way as members of the committee physically present.

2.3 Interests

- (a) For the purposes of any provision in a code of conduct relating to the declaration of interests, M will be deemed to be present at a meeting in which M is participating remotely.
- (b) M may not participate remotely in any part of a meeting where the business being discussed is business in which M has or should have made a declaration of a disclosable pecuniary interest or a prejudicial interest.

3 DEFINITIONS

In these rules,

- (i) 'chairman' means the person presiding at a meeting. This includes the vice-chairman, or any other person presiding at a meeting in the absence of the chairman.
- (ii) "election year" means a year when there is an ordinary election of councillors
- (iii) "non-election year" means a year which is not an election year
- (iv) where the context permits, "Mayor" includes the Deputy Mayor, or any other person presiding at a council meeting in the absence of the Mayor.
- (v) "special meeting" means a meeting of the council other than the annual meeting or an ordinary meeting

4 MEETINGS OF THE COUNCIL

4.1 Annual Meeting

There must be an annual meeting of the council in May each year. In an election year the meeting must take place within 25 days of polling. The meeting will:

- (i) elect a person to preside if the Mayor and Deputy Mayor are not present;
- (ii) elect the new Mayor;
- (iii) appoint the new Deputy Mayor;
- (iv) receive any announcements from the chairman and/or Chief Executive;
- (v) consider any other business set out in the notice convening the meeting.

4.2 Selection of Councillors on Committees and Outside Bodies

In an election year, the annual meeting, in addition to the functions outlined in paragraph 4.1, will:

- (i) ~~a~~Appoint a Leader of the Council
- (ii) decide which committees to establish for the municipal year;
- (iii) decide the size and terms of reference for those committees;
- (iv) decide the allocation of seats to political groups in accordance with the political balance rules; and
- (v) appoint or nominate councillors to serve on outside bodies.

In a non-election year the Council will decide those matters outlined above at the last ordinary meeting before the annual meeting.

4.3 Ordinary Meetings

The Council will agree a schedule of ordinary meetings of the Council ~~before~~at the last ordinary meeting before the annual meeting in each year. Ordinary meetings will:

- (i) elect a person to preside if the Mayor and Deputy Mayor are not present;
- (ii) receive any declarations of interest from members;
- (iii) approve the minutes of the last meeting;
- (iv) receive any announcements from the Mayor and/or the Chief Executive;
- (v) deal with any questions from members of the council submitted under rule 8;

- (vi) deal with any written questions from members of the public submitted under rule 9;
- (vii) deal with any business from the last Council meeting;
- (viii) consider any recommendations and/or reports from committees;
- (ix) consider notices of motion in the order in which they have been received;
- (x) consider any other business specified in the summons to the meeting; and
- (xi) hear any report from a member who represents the council on any outside body on the work of that body or any issue arising from the council's involvement with it (such reports and any subsequent questions to be limited to a maximum of two per meeting and five minutes per report).

4.4 Special Meetings

- (a) Special meetings can be called in five ways:
 - (i) by the Mayor at any time;
 - (ii) by a resolution of the Council;
 - (iii) by the Chief Executive after consultation with the Leader of the Council;
 - (iv) by any five members of the Council if they have followed the procedure in 4.4(b);
 - (v) by the Council's Monitoring Officer.
- (b) If five or more members want to call a special meeting, they must give a written request for a special meeting to the Mayor. If the Mayor refuses to call a meeting or fails to call a meeting within seven days of the written request, the five members may call a special meeting themselves.

5 TIME AND PLACE OF MEETINGS

The Chief Executive will fix the time and place of meetings.

6 NOTICE OF AND SUMMONS TO MEETINGS

The Chief Executive will give notice of the time and place of any meeting as required by law and the Access to Information Rules. At least five clear working days before a meeting, the Chief Executive will send a summons as required by law to every member of the Council or the relevant committee or sub-committee at their home address, or other nominated address, which includes electronic address (in accordance with Local Government (Electronic Communications) (England) Order 2015).

7 CHAIRMAN OF MEETING

- 7.1 The Mayor shall preside at all council meetings.
- 7.2 If the Mayor is absent from a council meeting, then the Deputy Mayor, if present, shall preside.
- 7.3 If both the Mayor and Deputy Mayor are absent from a council meeting, the council will elect another member to preside. In such cases the Chief Executive (or ~~his~~[their](#) representative) shall conduct the meeting until such time as the member to preside at the meeting has been chosen.
- 7.4 *If the chairman is absent from a meeting of a committee or sub-committee, the vice-chairman shall preside.*
- 7.5 *If both the chairman and vice-chairman are absent from a meeting of a committee or sub-committee, the committee or sub-committee will elect another member to preside. In such cases the Chief Executive (or ~~his~~[their](#) representative) shall conduct the meeting until such time as the member to preside at the meeting has been chosen.*

8 QUORUM

During any council meeting if the Mayor counts the number of members present and declares there are not thirteen members present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor. If ~~the Mayor he/she~~ does not fix a date, the remaining business will be considered at the next ordinary meeting.

9 QUESTIONS FROM MEMBERS OF THE COUNCIL¹

- 9.1 A councillor may, subject to 9.2, ask a question of the Leader of the Council or the chairman of a committee at an ordinary meeting of the council.
- 9.2 Questions may only be asked under 9.1 if:
- (i) The councillor who wants to ask the question has given it in writing to the Deputy Chief Executive before 4.30 p.m. on the fourth working day before the meeting (this means that if the meeting is to be held on a Monday, the question must be given before 4.30pm on the Tuesday before) and has identified who he wants to answer it;
 - (ii) The question is relevant to the terms of reference of the committee whose chairman is to answer it, or is to be answered by the leader of the council;
 - (iii) The question will take no longer than two minutes to ask; and
 - (iv) At the time the question is given to the Deputy Chief Executive, no more than four questions to be asked under this rule at the meeting concerned have previously been given to ~~her~~them.
- 9.3 The member who is to answer the question will be given at least 24 hours' notice of it.
- 9.4 The question must be answered at the meeting by the member to whom it is directed, unless:
- (i) the member is not present, or
 - (ii) the question is directed to the leader of the council,
- in either of which cases, the leader of the council may nominate any other member to answer, so long as that member has consented before the meeting.
- 9.5 The councillor who has asked the question may then ask one supplementary question, which must arise out of the answer given to the original question and take no longer than two minutes to ask, and the member who answered the original question must answer the supplementary question.
- 9.6 No debate will be allowed arising out of a question asked or answer given under this rule.
- 9.7 No councillor may ask more than one question under this rule (excluding supplementary questions under 9.5) at any meeting.

10 VARIATION OF ORDER OF BUSINESS

Business at an ordinary or special meeting shall be considered in the order in which it is set out on the summons for the meeting, but may be varied:

- (a) by the Mayor at ~~his/her~~their discretion;
- (b) by a proposition (which need not be in writing) which is duly moved, seconded, put without discussion and carried by the Council.

¹ For clarity members of the public are able, under the procedure rules, to address Council and its committees. The specific arrangements and protocol governing this can be found in Part 2, Article 15 of this Constitution.

11 MOTIONS

11.1 Notice of Motion

(a) Purpose and limitations

Notice of motion is a procedure that allows members of the council to ask the council to discuss any matter for which the Council has a responsibility or which affects the Fylde area.

(b) Giving notice

Any member of the council can give written notice to the Deputy Chief Executive (or a member of the Governance Team in ~~her~~ their absence) of a motion they wish to move. The Deputy Chief Executive will publish the motion on the council's website and arrange for it to be placed on the agenda of the next available ordinary council meeting. The "next available" meeting means the first meeting falling more than eight working days after the written notice has been given. Motions will be listed on the agenda in the order in which notice was received.

(c) At the council meeting

The motion will be debated at council subject to it being moved as set out on this rule and seconded. Only the member who gave written notice of a motion under this rule may move it at the council meeting, unless the council indicates its assent to another member moving it in their place.

11.2 Procedural Motions

The following motions may be moved at any council meeting without notice:

- (i) to appoint a chairman of the meeting at which the motion is moved;
- (ii) to amend the minutes;
- (iii) to change the order of business in the agenda;
- (iv) to refer something to an appropriate body or individual;
- (v) to appoint a committee or member arising from an item on the agenda;
- (vi) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- (vii) to withdraw a motion;
- (viii) to amend a motion;
- (ix) to proceed to the next business;
- (x) that the question be now put;
- (xi) to adjourn a debate;
- (xii) to adjourn a meeting;
- (xiii) to suspend a particular council procedure rule;
- (xiv) to exclude the public and press in accordance with the Access to Information Procedure Rules;
- (xv) to not hear further a member named under rule 18.3 or to exclude them from the meeting under rule 18.4; and
- (xvi) to give the consent of the Council where its consent is required by this Constitution.

12 RULES OF DEBATE

Please note that there are special rules governing rules of debate at Budget Council meetings, and these can be found at Appendix 1.

12.1 Purpose of rules

The purpose of the rules of debate is to make sure that the council makes informed decisions after giving adequate consideration to any alternative choices. They set out how a member can make a proposal for the council to vote on and how the council should discuss the proposal.

12.2 Moving a motion

The member who wants to make a proposal must tell the council meeting what ~~he is~~they are proposing and explain why ~~he is~~they are proposing it. Unless it is a notice of motion under rule 11.1, the Mayor will require the proposal to be written down and handed to ~~him~~them before it is discussed, consistent with paragraph 12.7(b) below.

12.3 Seconding a motion

Before a proposal can be discussed by the council meeting, it needs to be seconded by another member. The member who seconds the proposal can speak when ~~he~~they seconds it, or can elect to speak later in the debate instead.

12.4 Discussing a motion

When a proposal has been moved and seconded it is called a motion and the council meeting must discuss it and vote on it, subject to the rules on closure motions.

12.5 Speaking about a motion

Every member may speak once on any motion for up to ten minutes, when invited to do so by the Mayor.

12.6 Right of reply

The member who proposed the motion can speak again on it the end of the debate, immediately before the Mayor asks members to vote on it.

12.7 Amending a motion

- (a) When speaking on a motion, a member may propose an amendment to it. An amendment is a proposal to change the motion that is being discussed by taking words out of it or adding words to it or both, as long as the effect of the amendment could not be achieved by defeating the motion.
- (b) Before a proposal to amend a motion can be discussed by the council meeting, it needs to be seconded by another member. The member who seconds the proposal can speak when ~~he~~they seconds it, or can elect to speak later in the debate instead.
- (c) When a proposal to amend a motion has been moved and seconded it is called an amendment and the council meeting must discuss it and vote on it, subject to the rules on closure motions.
- (d) Every member may speak once on any amendment for up to five minutes, when invited to do so by the Mayor.
- (e) The member who proposed the original motion has the right to speak last in the debate about any amendment to it, immediately before the Mayor asks members to vote on the amendment.
- (f) If an amendment is carried, the Mayor will read out the amended motion, which thus replaces the original motion. Members can then continue to debate the motion and may propose further

amendments, which will be dealt with under this rule. After any debate and if there are no further amendments, the Mayor will put the substantive motion as amended to the vote.

- (g) When a member has proposed an amendment to a motion, no-one can propose another amendment until the amendment that has been proposed has been voted on (or has failed because it has not been seconded), although the Mayor may in ~~his/her~~their sole discretion accept notice of further amendment(s).
- (h) All amendments should be submitted in writing and given to officers prior to the ~~{Council}~~ meeting. If this is not possible, a written copy will be accepted during the meeting so that it can be read aloud, thus providing clarity to all members.

12.8 When a member may speak again

A member who has spoken on a motion or an amendment may not speak again on the motion or amendment he has spoken on, except;

- (a) to move a further amendment if the motion has been amended since ~~he/she~~they last spoke;
- (b) in exercise of a right of reply;
- (c) on a point of order; and
- (d) by way of personal explanation.

12.9 Alteration or withdrawal of motion or amendment

- (a) A member who has proposed a motion or amendment may only alter or withdraw it if ~~his~~their seconder and the meeting agrees (the meeting's consent to be signified by a vote, but without discussion) and any alteration is one that could have been made as an amendment.
- (b) If an amendment is moved, the proposer of the original motion has the right of reply at the close of the debate on the amendment.
- (c) The proposer of the amendment has no right of reply to the debate on his or her amendment.

12.10 Motions which may be moved during debate

When a motion or amendment is being debated, no-one may propose any other motion or amendment except the following procedural motions:

- (i) to amend the motion presently being debated;
- (ii) to proceed to the next business (*see rule 12.11(b)*);
- (iii) that the question be now put (*see rule 12.11(c)*);
- (iv) to adjourn a debate (*see rule 12.11(d)*);
- (v) to adjourn a meeting (*see rule 12.11(d)*);
- (vi) to exclude the public and press in accordance with the Access to Information Rules; and
- (vii) to not hear further a member named under rule 18.3 or to exclude them from the meeting under rule 18.4.

12.11 Closure motions

- (a) A member may propose, without comment, at the end of a speech of another member:
 - (i) to proceed to the next business;

- (ii) that the question be now put;
- (iii) to adjourn a debate; or
- (iv) to adjourn a meeting.

If the proposal is seconded, the relevant following procedure will apply.

(b) **On a motion to proceed to next business:**

- (i) The Mayor must immediately put the procedural motion to the vote, without discussion.
- (ii) If the motion is approved then the meeting must proceed to the next business on the agenda and any motion or amendment then being debated is deemed to be lost.
- (iii) If the proposal is defeated the debate on the business under discussion immediately before the motion was proposed will continue.

(c) **On a motion that the question be now put:**

- (i) The Mayor must inform the meeting whether ~~he~~-they thinks that the motion or amendment under debate has been sufficiently discussed.
- (ii) If ~~he~~-the Mayor considers that it has not been sufficiently discussed, ~~he~~-they must allow the debate to continue.
- (iii) If ~~he~~-the Mayor considers that it has been sufficiently discussed, ~~he~~/~~she~~they must put the procedural motion to the vote.
- (iv) If the procedural motion is approved during a debate on an amendment, the Mayor will allow the member who proposed original motion ~~his~~-their right of reply before putting the amendment to the vote.
- (v) Otherwise, the Mayor will allow the member who proposed the original motion ~~his~~-their right of reply before putting the motion to the vote.
- (vi) If a motion that the question be now put is passed when the council is debating a motion rather than an amendment, any amendment of which a member has given notice, but which has not been formally proposed, can not be pursued.

(d) **On a motion to adjourn the debate or adjourn a meeting:**

- (i) The Mayor must inform the meeting whether ~~he~~-they thinks that the motion or amendment under debate is likely to be properly debated without an adjournment
- (ii) If ~~he~~-the Mayor considers that it is likely to be properly debated without an adjournment, ~~he~~-they must allow the debate to continue
- (iii) If ~~he~~-the Mayor considers that it is not likely to be properly debated without an adjournment, ~~he~~-they must put the procedural motion to the vote
- (iv) If the procedural motion is approved, the debate or meeting will be adjourned.

12.12 Point of order

If a member believes that there has been a breach of these standing orders or any other legal requirement at a council meeting, ~~he~~-they may raise it at the meeting by making a point of order. ~~He~~-The member must specify the breach of procedure to the Mayor, whose ruling will be final.

12.13 Personal explanation

A member may make a personal explanation at a council meeting. A personal explanation may only relate to some material part of an earlier speech by the member that may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

13 PREVIOUS DECISION AND MOTIONS**13.1 Motion to rescind a previous decision**

A decision made at a Council or Committee meeting within the past six months can only be re-opened by a notice of motion if signed by at least eight members (from at least two political groups), of the Council or the Committee in question. Where a committee has fewer than eight members, the notice of a motion must be signed by all of them.

13.2 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 (other than a motion deemed to have been lost under rule 12.11(b)) can only be moved following a notice of motion signed by at least eight members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

14 VOTING**14.1 Majority**

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

14.2 Chairman's casting vote

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

14.3 Show of hands

Unless a ballot or recorded vote is required under rule 14.4 or 14.5, the chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

14.4 Ballots

The vote will take place by ballot if the majority of members present at the meeting demand it. The chairman will announce the numerical result of the ballot immediately the result is known.

14.5 Recorded vote

- (i) *There will be a recorded vote taken when five members request it prior to the vote being taken on the item under discussion, unless 14.5 (ii) below applies.*
- (ii) *Any vote relating to the budget or Council Tax, taken at Budget Council, will be recorded.*

14.6 Right to require individual vote to be recorded

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

15 MINUTES

The minutes of a meeting of the Council or a Committee must be signed at the next ordinary or special meeting of the council or the next meeting of the Committee. The only matter which may be discussed is the

accuracy of the minutes. Any challenge to the previous Council Minutes must be submitted to the Monitoring Officer within five working days of the formal publication of the Minutes. Verbal challenges during the meeting will not be accepted.

16 RECORD OF ATTENDANCE

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

17 EXCLUSION OF PUBLIC

Members of the public and press may only be excluded under the Access to Information Rules in Part 4e of this Constitution or standing order 19 (Disturbance by Public).

18 MEMBERS' CONDUCT

18.1 Standing to speak

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

18.2 Chairman standing

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

18.3 Member not to be heard further

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

18.4 Member to leave the meeting

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

19 DISTURBANCE BY PUBLIC

19.1 Removal of member of the public

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

19.2 Clearance of part of meeting room

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

19.3 General disturbance

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

20 QUORUM OF COMMITTEES/SUB-COMMITTEES

- (i) *The quorum of Committees ~~and~~/Sub-Committees shall be one-quarter of the whole number of the members of that Committee ~~or~~/Sub-committee provided that the quorum shall not be less than 3 members.*
- (ii) *During any meeting of a Committee ~~or~~/Sub-committee if the Chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If ~~he/she~~the chairman does not fix a date, the remaining business will be considered at the next ordinary meeting of the Committee ~~or~~/Sub-committee.*

21 ELECTION OF CHAIRMAN OF COMMITTEE

- (a) *The Council shall appoint a Chairman and Vice-Chairman for the year in respect of each Committee. The Council may only remove a chairman or vice-chairman:*
 - (i) *by notice of motion under 11.1, or*
 - (ii) *by removing him from the committee in accordance with the wishes of a political group under section 16(2) of the Local Government and Housing Act 1989.*
- (b) *In the absence from a meeting of the Chairman and Vice-Chairman the Committee must appoint a Chairman for that meeting.*
- (c) *A Sub-committee shall appoint a chairman and vice-chairman at its first meeting.*

22 SPECIAL MEETINGS OF THE COMMITTEE

- (a) *The Chairman of a Committee may call a special meeting of the Committee at any time.*
- (b) *A special meeting of a Committee shall also be called on if demanded by at least one-third of the whole number of the Committee.*
- (c) *The demand for the meeting must be delivered in writing to the Chief Executive and must specify the subject matter for the proposed meeting, which must be within the Terms of Reference of the particular Committee.*
- (d) *The special meeting must be called within 10 working days of receipt of the requisition. The summons to the special meeting will set out the business to be considered and no business other than set out in the summons can be considered at the meeting.*

23 ENTITLEMENT TO ATTEND MEETINGS (INCLUDING SUBSTITUTIONS)

- (a) *Members of the Council may attend any Committee or Sub-committee even if they are not a member of it and may address the committee once on each item being considered by the committee, but must not otherwise take part in the proceedings without the consent of the Chairman, and must not vote*
- (b) *Members of the public can address council or committee meetings as permitted by Article 15 of the Council's Constitution, or exceptionally, with the consent of the chairman.*
- (c) *If ~~he~~they will be absent from the whole of a committee or sub-committee meeting, a member may, subject to paragraph (d), be represented by a named substitute member, but only if the intended substitution is notified to the ~~Director of Resources~~Deputy Chief Executive (or ~~her~~their representative) ~~no later than the day~~ before the meeting either:*
 - (i) *by the member who will be absent; or*

- (ii) *by or on behalf of the leader of ~~his~~-their political group (but only if the member who will be absent does not notify a substitution at any time before the start of the meeting).*
- (d) *No member may act as substitute at a meeting of a committee if ~~he~~-they ~~has~~-have previously acted as substitute at three meetings of that committee during the municipal year.*
- (e) *23(c) and (d) do not apply to the Planning Committee. Rule 24 applies instead.*
- (f) *Substitute members may speak, propose or second motions and amendments and vote as though they were a member of the Committee or Sub-Committee.*

24 SUBSTITUTES AT PLANNING COMMITTEE

- (a) *If ~~he~~-they will be absent from the whole of a meeting of the Planning Committee, a member of that committee may, subject to paragraph (b), be represented by a Reserve Planning member but only if the intended substitution is notified to the ~~Director of Resources~~Deputy Chief Executive (or ~~her~~-their representative) ~~no later than the day~~ before the meeting either:*
 - (i) *by the member who will be absent; or*
 - (ii) *by or on behalf of the leader of ~~his~~-their political group (provided that the member who will be absent does not notify a substitution at any time before the start of the meeting).*
- (b) *A Reserve Planning Member is a member who has been named as such by the Planning Committee.*
- (c) *There can be no more than ten Reserve Planning Members at any time.*
- (d) *The Planning Committee can only name as a Reserve Planning Member a member whom they consider:*
 - (i) *has a sufficient level of experience or training to enable ~~him~~-them to contribute to the work of the committee; and*
 - (ii) *is willing and available to frequently attend meetings of the committee (whether or not acting as a substitute).*

25 CONFIDENTIALITY

Members should not disclose (whether verbally, in writing or otherwise) any information, material or matter presented to or considered or decided by a meeting of the Council or Committee/Sub-committee following the exclusion of the press and public from the meeting or meetings concerned unless the Chief Executive has expressly consented in writing.

26 DECISIONS AFFECTING PERSONS EMPLOYED BY THE COUNCIL

If any matter or question arises at a meeting of the Council, a Committee or Sub-committee concerning the appointment, conduct, promotion, dismissal, suspension, salary, pension, conditions of service or other personal facts or circumstances of any person employed by the Council, that matter or question shall not be discussed until the meeting has decided whether or not to exercise its powers to exclude the press and public during the consideration of that item, pursuant to Section 100A(4) of the Local Government Act 1972 or any re-enactment of that legislation.

27 DECISION OF THE CHAIRMAN

- (a) *The ruling of the Chairman at any meeting of the Council, or a Committee ~~or~~ sub-committee concerning the conduct of that meeting, the interpretation, construction or application of these rules or questions of order, procedure, propriety, relevancy or regularity; shall be final and shall not be challenged or disputed at any meeting of the Council, ~~or a~~ Committee ~~or sub-committee~~.*
- (b) *The Chairman must stop any discussion which, in ~~his/her~~their opinion, is irrelevant to the consideration of the business before the meeting or does not concern the economic, social or environmental well being of the district (as the case may be).*

28 SUSPENSION AND AMENDMENT OF STANDING ORDERS**28.1 Suspension**

Any of these standing orders may be suspended by motion for the duration of the meeting. But the motion to suspend must be on notice unless at least half of the whole number of members of the Council, committee or sub-committee are present. Suspension can only be for the duration of the meeting.

28.2 Amendment

Any motion to add to, vary or revoke these standing orders, when proposed and seconded, shall stand adjourned without discussion to the next ordinary meeting of the Council except where it is a result of a proposal put forward by the Audit and ~~Standards–Governance~~ Committee or a proposal from the Chief Executive or the Monitoring Officer in accordance with provision 13.05 ‘Amendments and Alterations Generally.’

APPENDIX 1 - Budget Council Procedure Rules

The following rules are to be used at Budget Council meetings and replace the usual procedure rules. A copy will be provided to each member before the start of the meeting, reading as follows:

Full Council Budget Meeting

- 1 **The Leader of the Council** will make ~~his~~their budget presentation to the Council. There is no time limit on this presentation.
- 2 The **Leader of the Council or the Chairman of the Finance and Democracy Executive Committee** will then **Move** a Motion (**the Substantive Motion**) to recommend all the Council Tax resolutions and speak to the same. There is no time limit on the moving and speaking to this motion by the Leader of the Council or the Chairman of the ~~Finance and Democracy Executive~~ Committee.

Once this is **seconded** the **following process will be followed**:

- 3 The **Mayor** will at this point ask the Leader of the Opposition and non-aligned members to indicate whether they will be presenting an alternative budget or whether they will be moving any amendments (an indication will be given but the amendments (if any) will not be tabled until the moving, seconding and full debate on the budget proposals has run its course). Amendments from any other member will be heard after the debate on the substantive motion or amendments from the Leader of the Opposition and non aligned members have been concluded.
- 3.1 The **Substantive Motion** will then be debated when any member can indicate to speak on the Motion being put. No speech by a member may exceed 10 minutes and each speaker may speak only once (Part 4, 12.5).
- 3.2 **If there is no Amendment** moved then the mover of the original motion, will have a right to reply at the end of the debate immediately before the **Motion** is put to the vote (Part 4, 12.6). The vote will be recorded (Part 4, 14.5(ii))
- 3.3 **However, if the Leader of the Opposition indicated that ~~she~~they would be presenting an alternative budget/moving an amendment ~~she is~~they are invited to do so and there is no time limit.**
- 3.4 No speech by any other member may exceed 5 minutes, and each speaker may speak only once (Part 4, 12.7.d). 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 (Part 4, 12.7.e). This applies to all further amendments.
- 3.5 **The Mover of an Amendment** has no right of reply on ~~his or her~~their Amendment (Part 4, 12.9(c)).
- 3.6 **The Seconder of a Motion or Amendment** can reserve the right to speak for a later period in the debate (Part 4, 12.3 and 12.7.b).
- 3.7 **If the first Amendment is lost** then subsequent Amendments may be moved to the original Motion firstly by any non-aligned members and then any other members (Part 4, 12.7.g).

3.8 If an Amendment is carried the Motion as amended takes the place of the original Motion. This becomes the substantive Motion to which any further amendments are moved (Part 4, 12.7.f).

3.9 The **Motion** must be **Seconded** and any **Amendments** must be **Moved, Seconded and voted upon**. The vote will be recorded (Part 4, 14.5(ii))

3.10 In the event of all the amendments being lost **the original Motion will be put**.

The rules of debate for moving and amending motions will be in line with those set out in paragraph 12 of Part 4 of the constitution (rules of debate procedure rules).

<i>STANDING NOTE ON DISORDERLY CONDUCT</i>
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A. BY A MEMBER OF THE COUNCIL

In the event of disorderly conduct at the meeting by a member of the Council, the provisions of the Council Procedure Rules apply as follows:

MEMBER'S CONDUCT

Member not to be heard further

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

Member to leave the meeting

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

B. BY MEMBERS OF THE PUBLIC

In the event of disorderly conduct at the meeting by a member of the public, the provisions of the Council Procedure Rules apply as follows:

1. If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room.
2. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared and may adjourn the meeting as felt necessary.