

Part D – Procedure Rules

Part D1: Council Procedure Rules

Contents

1. MEETINGS.....	2
2. ANNUAL MEETING OF THE COUNCIL.....	2
3. ORDINARY MEETINGS.....	5
4. EXTRAORDINARY/SPECIAL MEETINGS.....	6
5. TIME AND PLACE OF MEETINGS.....	7
6. NOTICE OF, AND SUMMONS TO, MEETINGS.....	7
7. CHAIR OF MEETING.....	7
8. QUORUM.....	8
9. DURATION OF MEETING.....	8
10. QUESTIONS BY THE PUBLIC.....	8
11. QUESTIONS BY MEMBERS.....	9
12. MOTIONS ON NOTICE.....	13
13. MOTIONS WITHOUT NOTICE.....	14
14. RULES OF DEBATE.....	15
15. PREVIOUS DECISIONS AND MOTIONS.....	19
16. VOTING.....	20
17. MINUTES.....	21
18. RECORD OF ATTENDANCE.....	22
19. EXCLUSION OF PUBLIC AND PRESS.....	22
20. MEMBERS' CONDUCT.....	22
21. DISTURBANCE BY PUBLIC.....	23
22. RECORDING AND/OR FILMING OF MEETINGS.....	23
23. PETITIONS.....	24
24. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES.....	24

1. MEETINGS

The Chief Executive will produce a schedule of meetings for each Municipal Year, based on operational requirements. Once finalised, a copy of the Schedule of Meetings will be circulated to all Members of the Council and posted on the Council's website.

In addition to its Annual Meeting, a minimum of four ordinary meetings of the Council will be scheduled.

Any meeting which appears in the Schedule of Meetings will not normally be cancelled. However, cancellation will be considered in the absence of formal business to be transacted, or in such other exceptional circumstances (e.g. where extreme weather conditions prevent either travel to a meeting by a majority of Members or access to the meeting venue).

If cancellation of a Council Meeting is being contemplated, the Chief Executive will consult the Chair, and the Group Leaders. If there is no unanimity of view, it will be for the Chair to decide whether the meeting shall go ahead, having regard to the views expressed.

If cancellation of a Cabinet or Committee Meeting is being contemplated, the Chief Executive will consult the relevant Chair, and it will be for the Chair to decide whether the meeting shall go ahead.

2. ANNUAL MEETING OF THE COUNCIL

2.1 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, on a date to be fixed in advance.

The Annual Meeting will:

- i. elect a person to preside if the Chair of the Council is not present;
- ii. elect the Chair of the Council;
- iii. appoint the Vice-Chair of the Council;

Constitution of the Cotswold District Council

- iv. receive any announcements from the Chair and/or the Leader of the Council and/or the Chief Executive;
- v. receive any declarations of interest from Members and Officers;
- vi. in a year of ordinary election of councillors, elect the Leader of the Council for the four-year term of the Council, who shall be the Chair of the Cabinet;
- vii. receive the appointments of the Leader in respect of the other Cabinet members, including a Deputy Leader who shall be appointed for the four-year term of the Council and who shall be Vice-Chair of the Cabinet;
- viii. make allocations/appointments to the extant Committees of the Council; and such other committees as the Council considers appropriate;
- ix. agree any changes to the terms of reference for those Committees (as set out in Part 3 of this Constitution);
- x. receive the record of Members' attendances at meetings during the previous municipal year;
- xi. in a year of ordinary election of councillors, to receive the return of Councillors elected;
- xii. agree any changes to the scheme of delegations insofar as the Constitution determines it is for the Council to agree such functions;
- xiii. consider any business set out in the notice convening the meeting.

2.2 Selection of Councillors on Committees and Outside Bodies

At the Annual Meeting, the Council will:

- i. decide which Committees to establish for the Municipal Year;
- ii. decide on any changes to the size and terms of reference for the Committees;
- iii. agree the allocation of seats to political groups in accordance with the political balance rules;
- iv. receive nominations/appointments of Councillors to serve on each committee and outside body (if appropriate); and

- v. appoint to those committees and outside bodies, except where appointment to those bodies has been delegated by the Council.

2.3 Variation of Order of Business

Except for items (i), (ii) and (ii) of Rule 2.1 above, the order of business may be varied by either:

- a) the Chair at their discretion; or
- b) a resolution of the Council, passed on a motion (which need not be in writing) duly proposed and seconded which, once moved, shall be put without discussion.

3. ORDINARY MEETINGS

3.1 Timing and Business

In addition to the Annual Meeting there shall be six ordinary meetings of the Council, within a Municipal year, which will take place in accordance with the agreed schedule. The Council Meeting in February each year, will deal solely with Budget/Council Tax matters.

Council meetings will commence at either 2pm or 6pm (in principle summer meetings (during BST) will be held at 6pm and winter meetings (during GMT) at 2pm, but with the exception being the February Budget/Council Tax meeting which will be held at 6pm);

Ordinary Meetings will:

- i. elect a person to preside if the Chair and Vice-Chair are not present;
- ii. deal with any business required by statute to be done before any other business;
- iii. approve the minutes of the last meeting(s);
- iv. deal with any business expressly required by statute to be done;
- v. receive any declarations of interest from Members and Officers;
- vi. receive any announcements from the Chair and/or the Leader of the Council and/or the Chief Executive;
- vii. deal with questions submitted by members of the public under Rule 10;
- viii. deal with formal questions from Members under Rule 11;
- ix. deal with petitions or similar communications submitted by members of the public under Rule 23;
- x. dispose of any business from the previous Council meeting;
- xi. receive reports from the Cabinet and consider questions and answers on any of those reports;
- xii. receive reports from any of the Council's Committees and consider questions and answers on any of those reports;

- xiii. consider any issues relating to the Audit and Governance and/or Overview and Scrutiny Committee;
- xiv. consider motions submitted by Members pursuant to Rule 12, in the order in which they have been received;
- xv. consider any other business specified in the summons to the meeting; and
- xvi. authorise, where necessary, the sealing of documents.

3.2 Budget Meeting

The Budget Protocol detailed at [Appendix 4](#) will apply to the budget setting meeting which takes place in February each year.

3.3 Variation of Order of Business

Except for items (i), (ii) and (iii) of Rule 3.1 above, the order of business may be varied by either:

- a) the Chair at their discretion; or
- b) a resolution of the Council, passed on a motion (which need not be in writing) duly proposed and seconded which, once moved, shall be put without discussion.

3.4 Timings of Committees

- a) All meetings of the Planning and Licensing Committee to start at 2.00pm.
- b) Overview and Scrutiny Committee and Audit and Governance Committee meetings shall start at 4.00pm.
- c) Meetings of the Licensing Sub-Committees to start no earlier than 2.00pm.

4. EXTRAORDINARY/SPECIAL MEETINGS

4.1 Calling Extraordinary/Special Meetings

Extraordinary/Special Council Meetings may be called by the following:

- i. the Council by resolution;

- ii. the Chair of the Council;
- iii. the Chief Executive;
- iv. the Monitoring Officer; and
- v. any five Members of the Council if they have signed a requisition presented to the Chair of the Council. If the Chair refuses to call a meeting or fails to call a meeting within seven working days of the presentation of the requisition, the Chief Executive shall be required to call the meeting within a further seven working days. The requisition must specify the business which it is proposed to transact at the meeting.

4.2 Business

The summons for the Extraordinary/Special Meeting must set out the specified business to be transacted. No other business can be considered at the meeting, including the standing items that are included at Ordinary Meetings other than:

- i. to elect a person to preside if the Chair and Vice-Chair are not present; and
- ii. to receive any declarations of interest from Members and Officers.

5. TIME AND PLACE OF MEETINGS

The time and place of meetings will be determined in advance and notified in the summons.

6. NOTICE OF, AND SUMMONS TO, MEETINGS

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Chief Executive will send a summons signed by him/her/them to every Member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of the 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.

8. QUORUM

The quorum of a meeting will be one quarter of the whole number of Members and shall, in any event, be not less than 3 Members.

During any meeting, if the Chair 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 Chair. If they do not fix a date, the remaining business will be considered at the next Ordinary Meeting.

9. DURATION OF MEETING

The maximum duration of one sitting of a meeting (excluding any comfort breaks) will be as shown below. When the time limit is reached the current agenda item will be completed in the normal way. Any subsequent business will fall or may be reschedule to a later meeting or the meeting may be adjourned (to conclude on a different date).

Council – four hours*

Cabinet – four hours*

Audit Committee – three hours

Overview and Scrutiny Committee – three hours

Planning and Licensing Committee – no maximum duration

*For Council and Cabinet, at the conclusion of an item of business, after three hours have elapsed, a vote will be taken by a simple majority to continue for the final hour.

10. QUESTIONS BY THE PUBLIC

10.1 Open forum questions at Council, Cabinet and Committees

Members of the public may ask up to two oral spoken questions at Ordinary Meetings of the Council, Cabinet and Committees. A maximum period of fifteen minutes shall be allowed at any such meeting for open forum questions. Prior notice of oral questions is not required. The time limit for an oral question is one minute.

The Chair will decide on the order of questioners at the meeting.

Questions must relate to any matters in connection with which the Council, its Committees or the Cabinet, has powers or duties, or which affects the economic, social or environmental well-being of the District.

Questions must be addressed to a Cabinet Member or the Chair of Council or a Committee or Sub-Committee. If the person asking the question does not identify the Member they wish to put the question to, the Chair will decide which Member should respond, having regard to the subject matter of the question.

An answer to an oral question may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated within 10 working days of the date of the date of the meeting to the questioner. The written response will be included in the minutes of the meeting.

If the Chair believes, at any time, that the questioner misconducts themselves by behaving irregularly, improperly or offensively or by wilfully obstructing the business of the Council, the Chair may move that the questions may not be further heard.

No discussion will take place on any question, but any Member may move that a matter raised by a question be referred to Council, Cabinet or the appropriate Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion”.

10.2 Rejecting open forum questions

The Chair is authorised to disallow any questions which they consider to:

- be scurrilous, improper, or offensive;
- be the same or substantially the same as a question which has been asked at a previous meeting of the Council
- require the disclosure of confidential or exempt information.

11. QUESTIONS BY MEMBERS

11.1 Questions on Reports of Cabinet/Committees

A Member of the Council may ask the Leader, a Cabinet Member, or the Chair of a Committee any question without notice upon an item of the report of the Cabinet or a Committee when that item is being received or under consideration by the Council.

11.2 Questions on Notice at Council

Subject to Rule 11.4, a Member of the Council may, at Ordinary Meetings of the Council, ask:

Constitution of the Cotswold District Council

- the Chair; or
- the Leader; or
- a Cabinet Member; or
- the Chair of any Committee;

A question on any matter in relation to which the Council has powers or duties or which affects the Cotswold District.

A maximum period of fifteen minutes shall be allowed at any such meeting for Member questions.

11.3 Questions on Notice at Cabinet/Committee Meetings

Subject to Rule 11.4, a Member may, at Ordinary Meetings of the Cabinet and Committees, ask the Leader/Cabinet Member/Chair a question on any matter in relation to which the Council has powers or duties or which affects the Cotswold District and which falls within the terms of reference of the Cabinet/that Committee.

A maximum period of fifteen minutes shall be allowed at any such meeting for Member questions.

Questions must be:

- a) Addressed to a Member who is either the Leader, a Cabinet Member, or the Chair of the Committee; and
- b) Relevant to that Member's responsibilities or in the case of a Committee Chair, the responsibilities of the Committee they Chair

In the case of questions addressed to the Leader or Cabinet Member raised at a committee meeting, the question will be automatically referred to the next ordinary meeting of the Cabinet.

11.4 Order of Questions

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

11.5 Notice of Questions

A Member may only ask a question under Rule 11.2 or 11.3 if either:

Constitution of the Cotswold District Council

- a) the question has been delivered in writing or by electronic mail to the Chief Executive no later than 5.00 p.m. on the working day before the day of the meeting; or
- b) the question relates to an urgent matter, they have the consent of the Chair to whom the question is to be put and the content of the question is given to the Chief Executive by 9.30 a.m. on the day of the meeting.

11.6 Number of Questions

At any one meeting no Member may submit more than two questions.

11.7 Scope of Questions

The Chief Executive may reject a question if it:

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

11.8 Record of Questions

A register, open to public inspection, will be maintained containing the following:-

- i. any question duly submitted, and the response provided;
- ii. any supplementary question duly asked, and the response provided;
- iii. any rejected question, with reason(s) for rejection;
- iv. a record of the date and time that the question was received.

Copies of all questions will be circulated to all Members and will be made available to the public attending the meeting.

11.9 Asking the Question at the Meeting

The Chair will invite the questioner to put the question to the Member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Chair to put the question on their behalf. The Chair may ask the question on the questioner's behalf and/or indicate that a written reply will be given. Any question duly submitted shall be dealt with at the meeting concerned.

11.10 Response

An answer may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

If a question is submitted at least seven working days prior to the meeting, a written answer will be guaranteed by no later than 24 hours prior to the meeting. A written response cannot be guaranteed to a question submitted any later than seven working days prior to the meeting but, in respect of any question that cannot be dealt with at a meeting, a written response will be provided within five working days of the relevant meeting.

11.11 Supplementary Question

A Member asking a question under Rule 11.2 or 11.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The maximum length of oral supplementary questions by Members shall be one minute. The maximum length of oral responses to questions or supplementary questions by Cabinet Members or Committee Chairs to be two minutes.

A supplementary question must arise directly out of the original question or the reply. The Chair may reject a supplementary question on any of the grounds in Rule 11.7 above.

A supplementary question may be preceded by a short preamble to set the context but, if such preamble is excessive, then the Chair shall stop the person from speaking further by way of preamble and ask him/her/them to put the question.

An immediate answer cannot be guaranteed to any supplementary question. However, the Cabinet Member or Chair will try and answer the supplementary

question at the meeting, if at all possible; but if the Cabinet Member or Chair is unable to answer the question at the Meeting, then they will answer as much as possible and then provide a full response within five working days (if, for any reason, a full response cannot be provided within the five days, then a holding response will be sent, along with the reason for delay and a likely timescale for the full response). In respect of any supplementary question that cannot be dealt with at a meeting, a written response will be provided within five working days of the relevant meeting.

11.12 Written Answers

Any question which cannot be dealt with during question time, because of lack of time, will be dealt with by a written answer.

11.13 Reference of Question to the Council, the Cabinet or a Committee

No discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Council, the Cabinet or the appropriate Committee. Once seconded, such a motion will be voted on without discussion.

12. MOTIONS ON NOTICE

12.1 Notice

Except for motions which can be moved without notice under Rule 13, written notice of every motion, clearly stating the Proposer and Seconder of the motion, must be delivered to the Chief Executive not later than seven working days before the date of the meeting. These will be entered in a register open to public inspection.

12.2 Motion set out in Agenda

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the Member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

12.3 Scope

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

12.4 Debate

A motion concerning a matter within the purview of the Cabinet or any Committee which is moved and seconded shall automatically stand referred to the Cabinet or that Committee. The Chair may, however, allow the motion to be dealt with at the meeting at which it is moved if they consider it convenient and conducive to the despatch of business.

12.5 Voting on Motions

At the end of a debate, the motion shall be formally concluded by a vote.

12.6 Record of Motions on Notice

A register, open to public inspection, will be maintained containing the following:-

- i. any Motion on notice duly submitted, and the date and time that the Motion was received;
- ii. a record of the date and time that the Motion was received;
- iii. the outcome/decision on the Motion.

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) to question the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate committee, body or individual;
- e) to appoint a committee or members thereof arising from an item on the summons for the meeting;
- f) to receive reports or adopt recommendations of the Cabinet or committees or officers and any resolutions following from them;
- g) to withdraw a motion;
- h) to amend a motion;

Constitution of the Cotswold District Council

- i) to proceed to the next business;
- j) to propose that the question be now put;
- k) to adjourn a debate;
- l) to adjourn a meeting;
- m) to propose that the meeting continue beyond four hours in duration (see Rule 9);
- 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 Member named under Rule 20.3 or to exclude them from the meeting under Rule 20.4; and
- q) to give the consent of the Council where its consent is required by this Constitution.

14. RULES OF DEBATE

14.1 No Speeches until Motion Seconded

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

14.2 Right to Require Motion in Writing

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

14.3 Secunder's Speech

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

14.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech will normally exceed five minutes, although the Chair shall have ultimate discretion as to the length of speeches.

14.5 When a Member may Speak Again

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

- a) to speak once on an amendment moved by another member;
- b) to move a further amendment if the motion has been amended since they last spoke;
- c) if their first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which they spoke was carried);
- d) in exercise of a right of reply (see Rule 14.9);
- e) on a point of order;
- f) by way of personal explanation, (which is explained in more detail in 14.13 below);

14.6 Amendments to Motions

- a) An amendment to a motion must be relevant to the motion and will either be:
 - i. to refer the matter to an appropriate committee, body or individual for consideration or reconsideration;
 - ii. to leave out words;
 - iii. to leave out words and insert or add others; or
 - iv. to insert or add words;as long as the effect of (ii) to (iv) is not to negate the motion.
- b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has

been disposed of.

- c) Any amendment proposed requiring the addition of more than seven words in length must be circulated to all Members present in writing as it is moved.
- d) If an amendment is not carried, other amendments to the original motion may be moved.
- e) 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.
- f) After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

14.7 Alteration of Motion

- a) A Member may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- b) A Member may alter a motion which they have 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.

14.8 Withdrawal of Motion

A Member may withdraw a motion which they have moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

14.9 Right of Reply

- a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.

- c) The mover of the amendment has a right of reply to the debate on his or her amendment immediately before the mover of the original motion.

14.10 Motions which may be Moved During Debate

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

- a) to withdraw a motion;
- b) to amend a motion;
- c) to proceed to the next business;
- d) to propose that the question be now put;
- e) to adjourn a debate;
- f) to adjourn a meeting;
- g) to exclude the public and press in accordance with the Access to Information Rules; and
- h) to not hear further a Member named under Rule 20.3 or to exclude them from the meeting under Rule 20.4.

14.11 Closure Motions

- a) A Member may move, without comment, the following motions at the end of a speech of another Member:
 - i. to proceed to the next business;
 - ii. that the question be now put;
 - iii. to adjourn a debate; or
 - iv. to adjourn a meeting.
- b) If a motion to proceed to next business is seconded, and the Chair thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

- c) If a motion that the question be now put is seconded, and the Chair thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed, they will give the mover of the original motion a right of reply before putting their motion to the vote.
- d) If a motion to adjourn the debate or to adjourn the meeting is seconded, and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be discussed on that occasion, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

14.12 Point of Order

A Member may raise a point of order at any time. A Member must stand when raising a point of order. The Chair will hear it immediately. A point of order may only relate to an alleged breach of these Rules of Procedure or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Chair on the matter will be final.

14.13 Personal Explanation

A Member may make a personal explanation at any time. A Member must stand when making a point of personal explanation. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Chair on the admissibility of a personal explanation will be final.

15. PREVIOUS DECISIONS AND MOTIONS

15.1 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 one quarter of the whole number of Members of the Council.

15.2 Motion Similar to One Previously Rejected

A motion or amendment in the same terms as, or similar terms to, one that has been rejected at a meeting of Council in the past six months cannot be moved for a further six months, unless this rule is suspended pursuant to Rule 24 or Rule 37.

16. VOTING

16.1 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.

16.2 Chair's Casting Vote

If there are equal numbers of votes for and against, the Chair will have the right to exercise a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote, including the choice not to use such vote.

16.3 Show of Hands

Unless a ballot or recorded vote is demanded under Rules 16.4 and 16.6, the Chair will take the vote by show of hands.

16.4 Ballots

The vote will take place by ballot if one quarter of the number of Members present at the meeting demands it. The Chair will announce the numerical result of the ballot immediately the result is known.

16.5 Record of Voting

A record of all votes shall be recorded in Minutes.

16.6 Recorded Vote

If, before a vote is taken, three Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot except when voting for appointments, when a ballot shall prevail.

16.7 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.

16.8 Voting on Appointments

If there are more than two people nominated for any position to be filled, and upon a vote being taken there is not a clear majority of votes in favour of one person (i.e. the number of votes cast for one person is not greater than the total sum of the votes cast for all other nominees), 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. If at any stage in the process an equal number of votes is cast for two nominees when one of them is to be appointed or taken off the list, the issue will be determined by the drawing of lots.

17. MINUTES

17.1 Signing the Minutes

The Chair will sign the minutes of the proceedings (including any confidential minutes) at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record (subject to him/her/them having been present at such meeting). The only part of the minutes that can be discussed is their accuracy.

When the minutes have been signed, Members may ask questions to ascertain what progress has been made on a particular matter referred to in the minutes, but not make any other statement or generate discussion on the minutes.

17.2 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting or Special Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), or a special meeting, or the annual 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.

17.3 Form of Minutes

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

The minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information may not be made available to the public but a summary of the proceedings will be made available where the minutes open to

inspection do not provide a reasonably fair and coherent record (see the Access to Information Procedure Rules).

18. RECORD OF ATTENDANCE

A record of attendance at of Members at meetings will be shown in the minutes of the meeting.

19. EXCLUSION OF PUBLIC AND PRESS

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 21 (Disturbance by Public).

20. MEMBERS' CONDUCT

20.1 Standing to Speak

When a Member speaks at Council Meetings, they must stand and address the meeting through the Chair. If more than one Member stands, the Chair will ask one to speak and the other(s) 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. The Chair has the right to waive the requirement for a Member to stand to speak where they consider it appropriate to do so.

20.2 Chair Standing

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

20.3 Member Not to be Heard Further

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

20.4 Member to Leave the Meeting

If the Member continues to behave improperly after such a motion is carried, the Chair 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.

20.5 General Disturbance

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as they think necessary.

21. DISTURBANCE BY PUBLIC

21.1 Removal of Member of the Public

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

21.2 Clearance of Part of Meeting Room

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

22. RECORDING AND/OR FILMING OF MEETINGS

The public proceedings of Council, Cabinet, Committee and Sub-Committee meetings may be recorded by members of the public and/or the press.

This includes filming as well as audio-recording, and photography is also permitted.

At the start of a meeting, the Chair may enquire if anyone present intends to record/film proceedings (although desirable, it is not a legal requirement for an attendee to notify the Council of an intention to record/film).

Any recording/filming must not be disruptive or distracting to the good order and conduct of the meeting; and 'roaming' around the venue while recording/filming is not permitted. The Chair will exclude anyone whose behaviour is disruptive.

Any recording/filming should only be of Members and Council Officers, and not any members of the public (unless they are formally addressing the meeting or unless specific permission has been given by those individuals).

If an individual decides to reproduce any of the recording/filming, the recording/filming must not be edited in any way that could lead to misinterpretation of the proceedings. This includes not editing any image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded/filmed.

In order to protect the interests of Members and Officers, and any other person addressing the Council's meetings, in case individuals do not record/film

proceedings for 'genuine' purposes and/or seek to abuse any potential entitlement by editing and re-publishing extracts so that they do not accurately reflect what has actually occurred at a meeting, the Council may make its own recording (audio and/or visual) of proceedings.

23. PETITIONS

Any petition or similar communication received by a Member or Officer should first be presented formally to the next meeting of the Council by the Member concerned or the Chief Executive and then referred to the Cabinet or relevant Committee for consideration.

These provisions do not apply to any petition or similar communication concerning planning applications or similar matters, which must be presented direct to the Committee responsible for such matters.

For the purposes of this Rule, a petition or similar communication must contain the names of at least ten people resident within the District.

The Local Petitions Scheme operated by the Council is included within the Council's Constitution.

24. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

24.1 Suspension

All of these Council Rules of Procedure, except Rule 16.6 and Rule 17.2, may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting.

24.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next Ordinary Meeting of the Council.