

Council Procedure Rules

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Note: All of these Council procedure rules apply to meetings of the Council. None of the rules apply to meetings of the Executive. Only Rules 4-7, 15, 16, 18, 19.1, 21, 22.3, 22.4, 22.5 and 23 apply to meetings of Committees and Sub-Committees and have been marked with an *

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 March, April or May.

The Annual Meeting will:

- (i) elect a Councillor to preside if the Mayor is not present;
- (ii) elect the Mayor;
- (iii) elect the Deputy Mayor;
- (iv) approve the Minutes of the last meeting;
- (v) receive any announcements from the Mayor and/or the Chief Executive;
- (vi) in an election year, elect the Leader;
- (vii) 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 (see also Part 4.04/1 – paragraph 1.2).
- (viii) appoint at least one Overview and Scrutiny Committee, and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions (as set out in Part 3 of this Constitution);
- (ix) consider any proposed changes to the Council's scheme of delegation
- (x) consider any business set out in the notice convening the meeting.

1.2 Selection of Councillors on Committees and Outside Bodies

At the Annual Meeting, the Council meeting will:

- (i) decide which Committees to establish for the Municipal Year;
- (ii) decide the size and terms of reference for those Committees;
- (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 Committee and outside body; and

- (v) at the Annual Council Meeting following each Wyre Council election appoint to those outside bodies, except where appointment to those bodies has been delegated by the Council or are Executive appointments.

2. Ordinary Meetings

Ordinary meetings of the Council will take place in accordance with a programme published by the Chief Executive following discussion with Group Leaders (the Chief Executive will take into consideration comments from Group Leaders but the Chief Executive has the ultimate responsibility for determining the programme of Ordinary meetings) which will:

- (i) elect a Councillor to preside if neither the Mayor or the Deputy Mayor are present;
- (ii) Confirm the Minutes of the last meeting. Only Members who were present at the last meeting are eligible to vote. Any debate on the Minutes must be limited to matters of fact not interpretation;
- (iii) receive any declarations of interest from Members;
- (iv) receive any announcements from the Mayor, Leader, Members of the Cabinet, a Chairman of a Committee or the Chief Executive;
- (v) receive questions and/or statements from, and provide answers to, members of the public;
- (vi) receive a petition (if the requirements of the Petitions Scheme in Part 5.08 of the Constitution have been met);
- (vii) deal with any business adjourned from the last Council meeting;
- (viii) receive written questions “on-notice” from Councillors and hear responses from the Portfolio Holders to whom they are addressed;
- (ix) consider items for decision by the Council, including any recommendations from the Cabinet or Portfolio Holders that involve changes to the budget, or Policy Framework or officer reports on procedural issues, or relating to Council functions listed in Part 3 of the Constitution;
- (x) receive Executive Reports from the Leader and each Portfolio Holder and deal with questions and answers on any of those reports;
- (xi) receive periodic reports from Chairmen of Committees and deal with questions and answers on those reports. The periodic reports must contain the attendance record of each member of the committee for that period;
- (xii) consider any Notices of Motion;
- (xiii) consider any other business specified in the summons to the meeting.

3. Extraordinary Meetings

3.1 Calling Extraordinary Meetings

Those listed below may request the Chief Executive to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;
- (ii) the Mayor;
- (iii) any five Members of the Council if they have signed a requisition presented to the Mayor and he/she 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

Only the business specified in the summons may be transacted at an extraordinary meeting.

***4. Time and Place of Meetings**

The time and place of meetings will be determined by the Chief Executive and notified in the summons.

***5. 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 working days before a meeting, the Chief Executive will send a summons, signed by him or her, to every Member of the Council to their council e-mail address, by post and or leave it at their usual place of residence. 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.

5.1. Apologies for absence

Any member unable to attend a meeting must send their apologies and the reason for their absence by e-mail to democratic.services@wyre.gov.uk as soon as practicably possible and not less than 24 hours before the start time of the meeting as stated on the summons or notice. Where there are exceptional circumstances preventing compliance with this rule, members must contact Democratic Services and / or the relevant Chair of the meeting as soon as practicably possible to give their apologies and the reason for them. It is also considered good practice to advise the Leader of their group accordingly.

When a member complies with the requirements of this rule, they shall be recorded in the minutes as having tendered their apologies. Whether exceptional circumstances apply shall be at the absolute discretion of the Chair of the meeting who is to take the reasonable advice of the relevant officer in attendance.

When a member fails to comply with this rule or it is considered that a member did not have exceptional circumstances for not doing so, they shall be recorded as having failed to attend or tender their apologies for absence.

***6. Chairing a Meeting**

The person presiding at the meeting may exercise any power or duty of the Mayor. Where these rules apply to Committee and Sub-Committee meetings, references to the Mayor also include the Chairman of a Committees or a Sub-Committee.

***7. Quorum**

The quorum of a meeting will be one quarter of the whole number of Members (13 for full Council meetings). The quorum for the Employment and Appeals Committee meeting shall be 3.

During any meeting, if the Mayor 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 Mayor. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

8. Duration of Meeting

Unless the majority of Members present vote for the meeting to continue, any meeting that has lasted for 4 hours will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor or person presiding. If he/she does not fix a date (at the conclusion of the adjourned meeting or subsequently), the remaining business will be considered at the next ordinary meeting.

9. Questions and Statements by Members of the Public

9.1 General

Members of the public who live in the Borough may ask questions of Members of the Cabinet or make representations in the form of a statement or present a petition about any issue affecting the Borough at ordinary meetings of the Council. The period of time allocated for such questions and statements shall not normally exceed 30 minutes. No person may speak for longer than 5 minutes.

9.2 Order of Questions, Statements and Petitions

Questions will be asked, statements will be made and petitions presented in the order notice of them was received, except that the Mayor or person presiding may group together similar questions or statements, on issues which relate to the same topic.

9.3 Notice of Questions and Statements

A question may only be asked, or a statement be made, if notice has been given by delivering the question or statement in writing or by electronic mail

to the Chief Executive no later than 12 noon two calendar days prior to the day of agenda publication. (The day of agenda publication will be 5 clear working days, usually 7 calendar days, prior to the date of the meeting.) Each question must give the name and address of the questioner and name the Member of the Cabinet to whom it is put.

9.4 Supplementary Questions

Any questioner who has asked a question in person may ask one supplementary question, without notice, to the Cabinet Member who answered the original question. The supplementary question must arise directly from the original question or the reply given. The Mayor may reject a supplementary question if it does not arise directly from the original question or the reply given.

Unless the Mayor agrees otherwise, a member of the public making a statement will not be permitted to comment further following a response from the Leader or a Portfolio Holder.

9.5 Scope of Questions and Representations

The Chief Executive may reject a question or refuse to allow a statement if it:

- is not about a matter for which the local authority has a responsibility or which does not affect the Borough;
- is defamatory, frivolous or offensive;
- is substantially the same as a question or statement which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information.

9.6 Circulation of Questions

Copies of all valid questions will be published on the Council agenda.

9.7 Asking the Question at the Meeting

If a questioner is not present at the Council meeting the Mayor will request that a written response from the relevant Portfolio holder be sent to the questioner and the contents of the response will be recorded in the minutes.

If a questioner is present, the Mayor will either invite them to read their question or, if it has been published and copies have been circulated to all those present, she/he may ask Council to agree that it be taken as read and ask the relevant Portfolio Holder to respond.

9.8 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or any other reason, will be dealt with by a written answer.

9.9 Reference of a Question or a Statement to the Cabinet or a Committee

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

9.10 Responses to Questions and Statements

A summary of the response made to each question asked or statement made by a member of the public will be included in the Minutes and a copy will be sent to the questioner.

10. Presentation of Petitions

10.1 If the criteria set out in the Petitions Scheme in Part 5.08 of the Constitution have been met, the organiser of a petition (or their representative) will be invited by the Mayor to present their petition to the Leader of the Council. The petition organiser (or their representative) will then be able to ask a question to the Leader of the Council or the relevant Portfolio Holder about the topic of the petition. They will have up to 5 minutes to do so.

10.2 The Mayor will invite the Leader of the Council, or the relevant Portfolio Holder to respond. They will have up to 5 minutes to do so.

10.3 There will be no opportunity for a supplementary question or a general discussion or debate on the topic of the petition.

11. Executive Member Reports**11.1** Content of Reports

At each ordinary meeting of the Council, the Leader and each Portfolio Holder will present a report to the Council. These reports will cover recent activities, current and forthcoming issues within their respective remits, achievements and progress on key objectives.

11.2 Presentation of Reports

The Leader and each Portfolio Holder will each have a maximum of three minutes to present their report to Council.

11.3 Questions and Comments on Executive Reports

Any Non-Executive Member of Council may ask a question or make a comment to the Leader or the relevant Portfolio Holder on the contents of

their report or on any issue which falls within their area of responsibility. A maximum of ten minutes will be allocated for questions or comments to and responses by each Member of the Executive (Cabinet). At the end of these proceedings a further ten minutes in total will be allowed for the Executive Members to ask a question or make a comment on their respective fellow Executive Members reports/areas of responsibility.

11.4 Time Limit for Questions and Comments

There shall be no limit on the number of questions or comments from each Councillor, although there will be a maximum of three minutes per question or comment. (The Mayor will seek to ensure that as many different Members as possible are able to ask a question or make a comment within the time allocated).

11.5 Responses to Questions and Comments

After each question or comment, the Leader or Portfolio Holder will respond. He or she will have a maximum of three minutes to do so.

Responses 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;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner;
- (d) a request that a Member of the Corporate Management Team or the relevant officer, answer the question, or part of the question, provided that it is non-political in nature (e.g. requiring specialist, technical or expert knowledge or the provision of professional or legal advice).

The Mayor will decide whether or not a question, or part of a question, is "political".

In the absence of a Portfolio Holder the Leader will respond or nominate another Portfolio Holder to respond.

12. Written Questions "On-Notice" By Councillors

12.1 Questions on Notice at Council

Subject to Rule 12.2 a Member of the Council may ask:

- the Mayor;
- a Member of the Cabinet;
- the Chairman of any Committee or Sub-Committee

a question on any matter in relation to which the Council has powers or duties, or which affects the area.

12.2 Notice of Questions

A Member may only ask a question under Rule 12.1 if either:

- (a) they have delivered the question in writing or by e-mail to the Chief Executive not later than 12 noon two calendar days prior to the day of agenda publication. (The day of agenda publication will be 5 clear working days, usually 7 calendar days, prior to the date of the meeting.)
- (b) the question relates to urgent matters, they have the consent of the Mayor to whom the question is to be put and the content of the question is given to the Chief Executive by 10.30 a.m. on the day of the meeting. Urgent matters will be those that could not have been anticipated by the deadline for questions set out in 12.2 (a) above and/or they cannot await the next meeting of the Council.

12.3 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;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner;
- (d) a request that a Member of the Corporate Management Team or the relevant officer answer the question, or part of the question, provided that it is non-political in nature (e.g. requiring specialist, technical or expert knowledge or the provision of professional or legal advice).
The Mayor will decide whether or not a question or part of a question, is "political"

12.4 Supplementary Question

A Member asking a question under Rule 12.1 may ask one supplementary question without notice of the Cabinet Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

13. Reports from Chairmen of the Overview & Scrutiny, Audit and Standards, Licensing, Planning Committees

13.1 Frequency of Reports

The Chairman of the Overview and Scrutiny, Audit and Standards, Licensing and Planning Committees as well as the Chairman of the Planning Policy Group will each submit a report to an Ordinary Council meeting at least once in a municipal year. The sequence of reporting will be agreed by the Chief Executive.

13.2 Content of Reports

The reports will cover topical issues, achievements since the previous report, any significant issues expected to be dealt with prior to the next report or, the Committee's work generally and must comply with rule 2(xi).

13.3 Presentation of Reports

The Chairman of the reporting Committee will have a maximum of three minutes to present his or her report.

13.4 Questions and Comments

Any Member of Council may ask a question or make a comment to the Chairman of the reporting Committee on the contents of his or her report or on any issue which falls within their area of responsibility. A maximum of 10 minutes will be allocated for questions to and responses by the Chairman of the Committee submitting a report.

13.5 Time Limit for Questions and Comments

There will be no limit on the number of questions or comments from each Councillor, although there will be a maximum of three minutes per question or comment. (The Mayor will seek to ensure that as many different Members as possible are able to ask a question or make a comment within the time allocated).

13.6 Responses to Questions and Comments

After each question or comment the Chairman will respond. He or she will have three minutes to do so.

Responses 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;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner;
- (d) a request that a Member of the Corporate Management Team or the relevant officer, answer the question, or part of the question, provided that it is non-political in nature (e.g. requiring specialist, technical or expert knowledge or the provision of professional or legal advice).

In the absence of the Chairman, the Deputy Chairman will respond.

14. Motions On Notice**14.1 Notice**

Except for motions which can be moved without notice under Rule 15 written notice of every motion, signed by at least 4 Members, must be delivered to the Chief Executive not later than 12 noon two calendar days prior to the day of agenda publication. (The day of agenda publication will be 5 clear working days, usually 7 calendar days, prior to the date of the meeting.)

14.2 Motions Set Out on the 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.

14.3 Scope

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

The Proper Officer may reject a motion if it:

- (i) is not about a matter for which the Borough Council has a responsibility or is not about a matter of regional or national policy which affects the Borough disproportionately;
 - (ii) is defamatory, frivolous or offensive and in the case of the latter, which names, or clearly identifies a member of staff or other individual;
 - (iii) is substantially the same as a motion which has been put at a meeting of the Council in the past six months;
 - (iv) requires the disclosure of confidential or exempt information;
- or
- (v) is either unlawful or incapable of having practical effect.

Such Motions submitted will be dealt with by the Proper Officer and the proposer of the Motion will be given advice accordingly in line with this criteria.

***15. Motions without Notice**

The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) in relation to the factual accuracy of the Minutes;

- (c) to change the order of business in the Agenda;
- (d) to refer an issue to an appropriate body or individual;
- (e) to appoint a Committee or Member arising from an item on the summons for the meeting;
- (f) to receive reports or the adoption of recommendations of Committees or Officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) that the question be now put (provided that a minimum period of 20 minutes has elapsed or at least two Members have spoken in favour of the motion and at least two Members spoken against the motion);
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) that the meeting continue beyond 4 hours in duration;
- (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 22.3 or to exclude them from the meeting under Rule 22.4;
- (q) to give the consent of the Council where its consent is required by this Constitution; and
- (r) suspend time limit on speeches.

***16. Rules of Debate**

*** 16.1 No Speeches Until Motion is Moved and Seconded**

If a motion set out in the agenda 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 considered again without fresh notice.

*** 16.2 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.

* **16.3** Secunder's Speech

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

* **16.4** 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 may exceed 5 minutes without the consent of the Mayor.

* **16.5** 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 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;
- (e) on a point of order; and
- (f) by way of personal explanation.

* **16.6** 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 body or individual for consideration or reconsideration;
 - (ii) to leave out words and/or insert or add othersas long as the effect of (ii) 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) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) 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.

- (e) After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

* **16.7** Alteration of Motion

- (a) A Member 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 Member 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.

* **16.8** Withdrawal of Motion

A Member may withdraw a motion which he/she has 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.

* **16.9** 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 no right of reply to the debate on his or her amendment.

* **16.10** Motions Which May be Moved During Debate

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) that the meeting continue beyond 4 hours in duration;

- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) to not hear further a Member named under Rule 22.3 or to exclude them from the meeting under Rule 22.4.

* **16.11** 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 Mayor thinks the item has been sufficiently discussed, he/she 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 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 give the mover of the original motion a right of reply before putting his/her 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 without giving the mover of the original motion the right of reply.

* **16.12** Point of Order

A Member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

* **16.13** Personal Explanation

A Member may make a personal explanation at any time. 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 Mayor on the admissibility of a personal explanation will be final.

17. Previous Decisions And Motions**17.1 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 15 Members.

17.2 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 15 Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

18. Voting** 18.1 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.

*** 18.2 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 a casting vote.

*** 18.3 Show of Hands**

Unless a recorded vote is demanded under Rule 18.4, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

*** 18.4 Recorded Vote**

If four 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.

*** 18.5 Recorded votes at budget meetings**

For all decisions at budget meetings of the Council relating to the setting of the Council's budget and the Council Tax, including any proposed amendments, the names of councillors voting for and against a motion or abstaining from voting will be taken down in writing and recorded in the minutes.

(Budget meetings are defined in paragraph 11 of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 as "*a meeting of the Council at which it makes a calculation (whether originally or by way*

of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992”).

* **18.6** 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.

* **18.7** 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.

***19.** Minutes

* **19.1** Confirming the Previous Minutes

The Mayor will move that the Minutes of the previous meeting be confirmed as a correct record. The only part of the Minutes that can be discussed is their accuracy.

19.2 Form of Minutes

Minutes will be written in a concise style referring only to the documents considered and the decisions taken. A footnote will be included in each set of minutes providing a link to the audio reading of the meeting on the Council's website. Only Members who have attended the meeting can approve or second the accuracy of minutes.

20. 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.

***21.** Exclusion of Public

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 23 (Disturbance by Public).

22. Members' Conduct

22.1 Standing to Speak

Unless the Mayor indicates otherwise, when a Member speaks at the 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.

22.2 Mayor Standing

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

* **22.3** 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.

* **22.4** Member to Leave the Meeting

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

* **22.5** 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.

***23.** Disturbance By Public

* **23.1** Removal of Member of the Public

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

* **23.2** Clearance of Part of Meeting Room

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

24. Suspension and Amendment of Council Procedure Rules

24.1 Suspension

All of these Council Rules of Procedure except Rule 18.6 (Right to Require Individual Vote to be Recorded) and 19.1 (Confirming the Previous Minutes) 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 allow time to properly consider its effect, to the next ordinary meeting of the Council.

***26. Substitution of Members**

In exceptional circumstances, where a member is likely to be absent from their duties as a councillor for a period of two months or more a substitute can be nominated. The Chief Executive must have confirmed to Democratic Services no less than 24 hours in advance that exceptional circumstances apply. The members of a Committee or Sub-Committee may propose a motion that the member who is absent be replaced at that meeting and that meeting only by a substitute member provided always that said member is a member of the same political group of the Council as recognised by this constitution and has undergone the necessary training. The replacement member's right to sit on the Committee or Sub-Committee shall terminate at the end of that meeting.

Nothing in this rule prevents the same replacement member sitting as a substitute member for more than one meeting of the same Committee or Sub-Committee provided always that the procedure set out in this rule is followed.

25. Application to Committees and Sub-Committees

All of these Council Procedure Rules apply to meetings of the Council. None of the rules apply to meetings of the Executive. Only Rules 4-8, 15 and 16, 18, 19.1, 21, 22.3, 22.4, 22.5, 23 and 26 apply to meetings of Committees, and Sub-Committees, and are marked with an *.