

## Part []

### Meeting Procedure Rules

#### 1 Introduction

- 1.1 Council Meetings will be conducted in accordance with all relevant legislation including the LGA 1972, the Local Government and Housing Act 1989, the LGA 2000, the Localism Act 2011 and The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.
- 1.2 Where they apply (see below), and subject to any specific Procedure Rules for particular Bodies or Meetings set out in other Parts of the Constitution, these Procedure Rules are required to be followed in relation to public Meetings of the Council, the Executive and other Council Bodies.
- 1.3 These Procedure Rules are not required to be followed in relation to private meetings of Bodies (including Task Groups) but the meeting Chairman may choose to follow some or all of them as desirable in the circumstances.
- 1.4 These Procedure Rules may be:
  - 1.4.1 common to all Bodies; or
  - 1.4.2 specific to a particular Body or Meeting.
- 1.5 These Procedure Rules set out:
  - 1.5.1 items of Business that must be taken first and in a particular order;
  - 1.5.2 items of Business that may be taken after those in the category above, but where the order may be varied:
    - 1.5.2.1 by the Meeting Chairman; or
    - 1.5.2.2 upon a successful Motion to do so;
  - 1.5.3 Procedural Motions that may be Moved without Notice;
  - 1.5.4 Proposals that may be Moved on Notice.

#### 2 Business at a Meeting – the Meetings Rules Table

- 2.1 The First Appendix to this Part is a Meetings Rules Table setting out various matters including:
  - standard Items of Business for particular Meetings;
  - the order in which those Items of Business will be taken;
  - Procedural Motions that may be Moved without Notice at a particular Meeting;
  - Motions and Recommendations that may be Moved on Notice at a particular Meeting;
  - Questions and Petitions that may be asked or presented at a particular Meeting.
- 2.2 If there is any conflict between the wording of the Constitution (excluding the Meetings Rules Table) and the contents of the Meetings Rules Table, the Constitution will prevail.

#### 3 Business at a Meeting – Questions and Petitions

- 3.1 The Second Appendix to this Part sets out the Rules relating to the procedure for Public and Councillor Questions at particular Meetings.
- 3.2 The Third Appendix to this Part sets out the Rules relating to the procedure for dealing with Petitions.

## 4 Types of Public Meeting

- 4.1 Annual Meeting:
  - 4.1.1 the First Annual Council Meeting following local elections - the Leader of Council is elected for the duration of the Council (four years);
  - 4.1.2 an Annual Council Meeting (including the First Annual Council Meeting following local elections) - the Chairman and Vice-Chairman of Council are elected, the Leader announces the composition of the Executive, and the size, terms of reference and membership of Bodies is decided;
  - 4.1.3 an Annual Meeting of a Body - generally these take place in turn during an adjournment or at the close of the Annual Council Meeting to elect the Body Chairman and Vice-Chairman only.
- 4.2 Council Budget Meeting – more fully detailed in Part [] (Council), this generally takes place in March each year and sets the Council’s budget for the following financial year (and the substantive business of the Meeting is restricted to the budget.
- 4.3 Ordinary Meeting – the Body in question transacts general business, as described further below.
- 4.4 Extraordinary Meeting – the Body in question transacts only the specific business for which the Meeting has been called, as described further below.

## 5 Calling Meetings

- 5.1 The dates and times for Annual, Council Budget, and Ordinary, Meetings are set out in the Timetable of Meetings agreed from time to time by Council.
  - 5.2 In any event:
    - 5.2.1 the First Annual Council Meeting following an election will take place within twenty-one days of the retirement of the outgoing Councillors;
    - 5.2.2 in any other year, the Annual Council Meeting will usually take place in May.
  - 5.3 In the event that any adjustment to the date of a Meeting is found to be necessary the appropriate Officer should discuss matters with the Body Chairman and/or Vice-Chairman (and, as necessary and appropriate in the circumstances, the Group Leaders and/or Deputy Group Leaders), with the Body Chairman having the final say as to how to proceed.
  - 5.4 An Extraordinary Meeting of a Body may be convened:
    - 5.4.1 by the Body Chairman; or
    - 5.4.2 by the Monitoring Officer; or
    - 5.4.3 by Members of the Body presenting a requisition to the Monitoring Officer signed by at least:
      - 5.4.3.1 five Councillors for an Extraordinary Council Meeting; or
      - 5.4.3.2 three Members of any other Body for an Extraordinary Meeting of that Body;
- in which event the Extraordinary Meeting shall be called by the Body Chairman or Monitoring Officer as soon as is practicably possible, but not later than seven days from the date that the requisition is presented to them.

## 6 Quorum

- 6.1 The quorum for a Meeting of:
  - 6.1.1 Council is 11 Councillors;

- 6.1.2 the Executive is four Executive Members;
- 6.1.3 a Body is one third of the Body membership or four Body Members, whichever is the greater;
- 6.1.4 of a Joint Committee shall be determined by reference to the rules relevant to that Body;
- 6.1.5 a Licensing Sub-Committee or Appeals Panel is three Members;
- 6.1.6 a Sub-Body is one third of the Sub-Body membership or three Sub-Body Members, whichever is the greater, unless the Parent Body decides otherwise where permitted.
- 6.2 During any Meeting if the Meeting Chairman counts the number of Members present and declares there is not a quorum present:
  - 6.2.1 the Meeting will adjourn immediately; and
  - 6.2.2 the remaining business will be considered at a time and date fixed by the Meeting Chairman (or, if the Meeting Chairman does not fix a date, at the next Ordinary Meeting).

## 7 Non-Member Councillors

- 7.1 Councillors who are not Members of a Body may attend any Meeting of that Body.

## 8 Standard Business to be taken in order (where applicable – see Meeting Rules Table)

- 8.1 To elect a Member to be Meeting Chairman if the Body Chairman/Vice-Chairman is not present - any power or duty assigned to the Body Chairman in relation to the conduct of the Meeting may be exercised by the Meeting Chairman.
- 8.2 To receive apologies for an inability to attend the Meeting.
- 8.3 Any Meeting Chairman's remarks to the Meeting and presentations.
- 8.4 To elect the Body Chairman (only at the Annual Meeting, unless there is a vacancy).
- 8.5 To elect the Body Vice-Chairman (only at the Annual Meeting, unless there is a vacancy).
- 8.6 To approve the Minutes of the previous Meeting(s).
- 8.7 To receive Declarations of Interest.
- 8.8 To elect the Leader for a four year term (only at the First Annual Council Meeting following an election, unless there is a vacancy).
- 8.9 To receive the Leader's notification of the number and membership of the Executive (only at an Annual Council Meeting, unless there is a change).
- 8.10 To receive announcements from the Meeting Chairman/Leader/Executive/Chief Executive.

## 9 Standard Business where order can be varied by the Meeting Chairman or on Motion (where applicable – see Meeting Rules Table)

- 9.1 To receive Petitions submitted in accordance with the Petitions Appendix.
- 9.2 To respond to public written Questions submitted in accordance with the Questions Appendix.
- 9.3 To decide on Bodies including:
  - 9.3.1 the size and terms of reference;
  - 9.3.2 the allocation of seats to political groups in accordance with the political balance rules.
- 9.4 To appoint Councillors to Bodies.

- 9.5 To appoint Councillors to Outside Bodies (where the power to appoint has not been delegated, eg to the Leader).
- 9.6 To agree amendments to the Constitution.
- 9.7 To respond to Petitions previously received.
- 9.8 To receive and consider Reports and Recommendations.
- 9.9 To deal with matters referred to the Body.
- 9.10 To consider Motions.
- 9.11 To respond to Councillors' written Questions submitted in accordance with the Questions Appendix.
- 9.12 To consider Called In items.
- 9.13 To consider the business/any other business specified in the Agenda.

## 10 Procedural Motions (Motions that may be Moved without Notice)

- 10.1 To appoint a Meeting Chairman if the Body Chairman and Vice-Chairman are both absent.
- 10.2 To agree the accuracy of the Minutes/any amendments.
- 10.3 To refer any matter to the Council, the Executive, a Body or an Officer.
- 10.4 To establish a Body or Sub-Body if such need arises from an Agenda item.
- 10.5 To amend or withdraw a Proposal as permitted.
- 10.6 To amend the time limit for speeches (if any).
- 10.7 To allow a member of the public to speak in accordance with these Procedure Rules.
- 10.8 To allow the continuation of the Meeting past 22:00 (to conclude by 22:30 or, at the Meeting Chairman's discretion, by 22:45 for meetings of Council).
- 10.9 To suspend a Procedure Rule where permitted.
- 10.10 To exclude the press and public in accordance with statute.
- 10.11 That a Member Named for Disorderly Conduct not to be further heard or leave the Meeting.
- 10.12 A Closure Motion (see Rules of Debate – Closure Motions below).

## 11 Motions other than Procedural Motions - submission

- 11.1 A Motion must:
  - 11.1.1 be submitted in writing to the Monitoring Officer;
  - 11.1.2 relate to a matter or matters of concern to the District;
  - 11.1.3 be submitted in the name of a Member or Members of the Body to which it is addressed;
  - 11.1.4 identify the Meeting to which it is submitted.
- 11.2 A Motion may:
  - 11.2.1 be submitted to any Executive Meeting;
  - 11.2.2 not be submitted to an Annual Meeting or an Extraordinary Meeting (other than of the Executive);
  - 11.2.3 only be submitted to the Council Budget Meeting if (in the sole opinion of the S151 Officer) it relates to expenditure or revenue;
  - 11.2.4 be submitted to an Ordinary Meeting.

- 11.3 A Motion:
  - 11.3.1 may be submitted for any Executive Meeting without Notice;
  - 11.3.2 must be submitted for any other Meeting on Notice:
    - 11.3.2.1 by 10:00 at least seven Clear Working Days before the Meeting to which it is to be submitted; or
    - 11.3.2.2 by 10:00 on the day of the Meeting if it is an Urgent Motion and has the written consent of the Body Chairman to which it relates.
- 11.4 Motions will be included in the Summons for the next Meeting of the Body in the order in which they are received unless they are:
  - 11.4.1 Motions to the Executive submitted too late to be included; or
  - 11.4.2 Urgent Motions.
- 11.5 A Motions may be:
  - 11.5.1 amended by the Monitoring Officer for the purpose of clarification, in consultation with the Member(s) who submitted it; or
  - 11.5.2 amended or withdrawn by the Body Chairman, after informing the Member who submitted it, if it appears the wording is not in order or is framed in improper or unbecoming language.
- 11.6 Motions shall be dated, numbered and entered onto a database in the order in which they are received and the database may be inspected by Members and be open to inspection by the public.
- 11.7 A Motion or amendment in similar terms to one that has been rejected at a meeting of a Body in the past six months cannot be moved.
- 11.8 A Motion may not be moved to rescind a decision made at a meeting of a Body within the preceding six months unless notice of the Motion is given and is signed by at least one quarter of all Members of the Body.

## 12 Motions other than Procedural Motions – procedure at Meeting

- 12.1 The Member who submitted the Motion, or another Member nominated by them, must Move the Motion and another Member must Second the Motion for it to be considered.
- 12.2 If a Motion specified in the Summons is not Moved, it shall be treated as abandoned and shall not be Moved without fresh Notice.
- 12.3 In the event that multiple Motions are submitted for debate at a Meeting, the Chairman will consult with the Group Leaders to determine the appropriate priority for the order of debate.
- 12.4 The Meeting Chairman will have absolute discretion during the Meeting to move from the item of business considering Motions to the next item of business on the Agenda, where the Meeting Chairman considers that to be necessary for the effective administration of the business on the Agenda.
- 12.5 Any Motion submitted to the Executive that relates to a Key Decision will need to comply with the requirements regarding publication of the proposed decision on the Executive Forward Plan prior to any decision being taken (see Part [] (Executive)).
- 12.6 Once Moved and Seconded, the Meeting Chairman will indicate that the Motion will be dealt with in one of the following ways:

- 12.6.1 be referred without debate to a relevant Body for decision because the subject matter falls within their remit for such (for the avoidance of doubt, except in respect of the Council Budget Meeting, any Motion that would materially increase expenditure, involve capital expenditure, materially reduce the revenue of the Council, or involve the disposal of a significant asset, falls within the remit of the Executive);
- 12.6.2 stand adjourned and be referred without debate to a relevant Body for initial consideration and report back because the subject matter falls within their remit for such;
- 12.6.3 be debated at the Meeting in accordance with the Rules of Debate; or
- 12.6.4 stand adjourned to a future Meeting.
- 12.7 Where a Motion has been moved and seconded but is not to be considered at the Meeting:
  - 12.7.1 the mover of the Motion shall be entitled to speak to the Motion for a three minute period;
  - 12.7.2 the Leader or relevant Executive Member shall be entitled to speak in response for a two minute period;
  - 12.7.3 the Motion shall be referred to the next appropriate Meeting of the relevant Body; and
  - 12.7.4 the Mover of the Motion, the Leader and the relevant Executive Member shall receive a copy of the Agenda for that Meeting and shall be invited to attend that Meeting; and:
    - 12.7.4.1 the Mover of the Motion shall be entitled to speak to the Motion in accordance with the Rules of Debate; and
    - 12.7.4.2 the Leader or relevant Executive Member shall be entitled to speak in response in accordance with the Rules of Debate; and
    - 12.7.4.3 if the Motion has been referred to the relevant Body for decision, a Report as to the outcome will be included in the Agenda of the next appropriate meeting of the referring Body; or
    - 12.7.4.4 if the Motion has been stood adjourned and referred to the relevant Body for initial consideration, a Report as to the outcome will be included in the Agenda of the next appropriate Meeting of the referring Body and the Motion shall be debated at that Meeting in accordance with the Rules of Debate.

## 13 Reports and Recommendations

- 13.1 A Report may be presented to a Meeting:
  - 13.1.1 to be noted; or
  - 13.1.2 with a proposal to adopt a Recommendation.
- 13.2 The Presenter of a Report shall generally be:
  - 13.2.1 for a Report from or to the Executive, the Leader, relevant Executive Member or a relevant Officer;
  - 13.2.2 for a Report from or to any other Body, the Body Chairman or other Member of the Body, or a relevant Officer.
- 13.3 Where a Report is presented for information, a Member may ask the Presenter a question or may make a statement lasting no longer than three minutes. The Presenter shall be entitled to reply.
- 13.4 Where a Report is presented with a proposal to adopt a Recommendation and that proposal is Moved and Seconded, the Report and Recommendation will be debated in accordance with the Rules of Debate.

## 14 Amendments to Motions or Recommendations

- 14.1 Provided that it could be Moved as an Amendment, the Proposer of a Motion or Recommendation may make a minor alteration to the Motion or Recommendation with the consent of the Secunder and the agreement of the Body Chairman.
- 14.2 A proposed Amendment to a Motion or Recommendation, other than a minor alteration, must:
  - 14.2.1 be relevant to the Motion or Recommendation; and
  - 14.2.2 not have the effect of negating the Motion or Recommendation; and
  - 14.2.3 not seek to introduce new subject matter; and
  - 14.2.4 be to remove and/or add words.
- 14.3 The Member who submitted the Amendment, or another Member nominated by them, must Move the Amendment and another Member must Second the Amendment for it to be considered.
- 14.4 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 in accordance with the Rules of Debate.
- 14.5 If an Amendment is carried, the Motion, as amended, takes the place of the original Motion and becomes the Substantive Motion to which any further Amendments are Moved.
- 14.6 Once all Amendments have been disposed of, the Meeting Chairman will put the Substantive Motion to the vote.
- 14.7 Any Amendment considered to be substantial by the S151 Officer in relation to a Motion or Recommendation that has a financial implication shall be the subject of discussion with and must receive the approval of the S151 Officer in advance of the Meeting to ensure that the Amendment does not compromise the Council's financial position.
- 14.8 In relation to the Council Budget Meeting, Part [] (Council) sets out the Rules for substantive Amendments proposed to the budget.

## 15 Withdrawal of Proposal

- 15.1 A Proposal may be withdrawn by the Proposer if the Secunder and the Meeting Chairman consent.
- 15.2 If consent to withdraw is granted no Member may then speak on the Proposal.

## 16 Rules of Debate - Speaking

- 16.1 If the Meeting Chairman stands, raises their hand, or speaks during a Meeting, the Meeting shall be silent and any Member then standing shall resume their seat.
- 16.2 The Meeting Chairman may request an appropriate Officer to speak by way of explanation of, or to draw the attention of the Meeting to, any legal, technical or administrative matter.
- 16.3 The Meeting Chairman may remain seated throughout a Meeting.
- 16.4 Councillors attending a Council Meeting in person may (where able) stand when speaking. Anyone attending a Council Meeting remotely, or attending any other Meeting, may remain seated when speaking.
- 16.5 All speakers shall address the Meeting Chairman when speaking.
- 16.6 The Meeting Chairman shall decide the order of speakers if more than one speaker wishes to speak.

- 16.7 Members shall direct speeches to the matter under discussion, a Point of Order or a Point of Explanation.
- 16.8 In a Council Meeting, speeches shall not exceed three minutes, unless the Meeting consents or another time limit is specified in these Procedure Rules.
- 16.9 There is a general assumption that Councillors who are not Members of a Body but attend a Meeting of that Body will, at the absolute discretion and upon the invitation of the Meeting Chairman, be permitted to speak at the Meeting.

## 17 Rules of Debate – Proposals

- 17.1 In a Council Meeting, a Proposal shall not be debated until it has been formally Moved and Seconded. The Secunder may reserve their speech until a later period in the debate.
- 17.2 In any other Meeting, with the consent of the Meeting Chairman, there may be discussion and debate prior to any Proposal being formally Moved.
- 17.3 The Meeting Chairman may require a Proposal to be put into writing before it is debated or voted upon.
- 17.4 A Member shall speak only once on any Proposal except to Move a relevant Procedural Motion or to raise a Point of Order or Explanation, and when a Proposal is under debate no other Proposal shall be Moved except a relevant Procedural Motion.

## 18 Rules of Debate - Points of Order/Explanation

- 18.1 A Member shall be heard:
- 18.1.1 immediately on a Point of Order relating to an alleged breach of a Procedure Rule or statutory provision identified by the Member;
- 18.1.2 when the Meeting Chairman decides it is relevant on a Point of Explanation concerning some material point in the present debate which appears to have been misunderstood.
- 18.2 The ruling of the Meeting Chairman on the validity, and any action to be taken in respect, of Points of Order or Explanation shall be final.
- 18.3 The Meeting Chairman shall rule on the interpretation of the Constitution having, where necessary, taken the advice of the Meeting Clerk and/or Monitoring Officer.

## 19 Rules of Debate - Closure Motions

- 19.1 At the conclusion of a speech of another Member, a Member may Move without comment that:
- 19.1.1 the debate be adjourned;
- 19.1.2 the Meeting be adjourned;
- 19.1.3 the Meeting proceed to the next business; or
- 19.1.4 the Meeting proceed immediately to Close of Debate.
- 19.2 Should the Closure Motion be Seconded and the Meeting Chairman is content that the question before the Meeting has been sufficiently discussed:
- 19.2.1 if the Closure Motion is to adjourn the debate or the Meeting, or to proceed to the next business:
- 19.2.1.1 the Meeting Chairman shall invite the Proposer to reply;
- 19.2.1.2 the Closure Motion shall be put to the vote and, if carried, the debate or Meeting shall stand adjourned, or the Meeting shall proceed to the next business, as the case may be;

- 19.2.2 if the Closure Motion is to proceed immediately to Close of Debate it shall be put to the vote and if carried the Meeting shall proceed immediately to Close of Debate.

## 20 Rules of Debate - Close of Debate

- 20.1 At the close of the debate on a Proposal, the following shall have the right of speech or reply in this order, but shall not introduce any new matter:
- 20.1.1 the Secunder, if they have not already spoken;
  - 20.1.2 the relevant Executive Member or Body Chairman if they have not already spoken;
  - 20.1.3 the Mover;
  - 20.1.4 and, on an Amendment only, the Mover of the original Motion or Recommendation who shall not otherwise speak on the Amendment.

## 21 Voting

- 21.1 Voting shall be by show of hands, or electronically, or otherwise as determined by the Meeting Chairman.
- 21.2 Unless this Constitution or the law provides otherwise any matter will be decided by a simple majority of those present in person and permitted to vote on the matter at the time the question is put.
- 21.3 If there are equal numbers of votes for and against the Meeting Chairman will have a second or casting vote. There will be no restriction on how the Meeting Chairman exercises their vote.
- 21.4 Generally, the voting record in the Minutes will simply indicate whether the vote on the item under consideration was won or lost, but a record of how a vote was, or votes were, cast (as the case may be) will be made:
- 21.4.1 if, immediately after a vote has been taken, any Member requests that their vote for or against or their abstention be recorded; or
  - 21.4.2 by way of a named vote such that the Monitoring Officer or Meeting Clerk can identify how each Member voting has cast their vote (eg electronically):
    - 21.4.2.1 if any Member requests that the vote be so recorded and three other Members support that request; or
    - 21.4.2.2 in accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 (SI 2014/165) (2014 Regulations) in relation to any decisions relating to the setting of the Council's budget, at the Council Budget Meeting.
- 21.5 A Member may request that their opposition to a decision be recorded in the Minutes.

## 22 Confidentiality and Non-Disclosure of Reports

- 22.1 Reports for Meetings which are 'not for publication' in accordance with statutory provisions on the grounds that they contain Confidential Information or Exempt Information shall be treated as confidential and shall not be disclosed by any Member or Officer.
- 22.2 Such Information shall continue to be treated as confidential after the Meeting at which the Report is presented, except insofar as it ceases to be confidential by virtue of any statutory provision or by its inclusion in the public Minutes of the Meeting.