

## Part [] – Meeting Rules of Procedure

### 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 Local Government Act 2000, the Localism Act 2011 and The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014.
- 1.2 Where they apply (see below), these Rules of Procedure are required to be followed in relation to public Meetings of Bodies (the Council, the Executive, Council Committees (including Boards and Commissions), and Sub-Committees). They are not required to be followed in relation to private meetings of Bodies (including Task Groups) but the Chairman of the meeting may choose to follow some or all of them as desirable in the circumstances.
- 1.3 These Rules of Procedure may be:
  - 1.3.1 common to all Bodies; or
  - 1.3.2 specific to a particular Body or Meeting.
- 1.4 These Rules of Procedure set out:
  - 1.4.1 Items of Business that must be taken first and in a particular order;
  - 1.4.2 Items of Business that may be taken after those in the category above, but where the order may be varied:
    - 1.4.2.1 by the Chairman; or
    - 1.4.2.2 upon a successful Motion to do so;
  - 1.4.3 Procedural Motions that may be Moved without Notice;
  - 1.4.4 Proposals (Motions, Recommendations and Amendments) that may be Moved on Notice.

### 2 Business at a Meeting – the Table

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

### 3 Types of Public Meeting

- 3.1 Annual Meetings:
  - 3.1.1 the First Annual Meeting of Council following an election - the Leader of Council is elected for the duration of the Council (four years);
  - 3.1.2 an Annual Meeting of Council (including the First Annual Meeting of Council following an election) - 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 Committees is decided;

- 3.1.3 an Annual Meeting of a Committee - generally these take place in turn during an adjournment of the Annual Meeting of Council to elect the Committee Chairman and Vice-Chairman only.
- 3.2 Ordinary Meetings:
  - 3.2.1 the **Budget Meeting of Council** – this generally takes place in March each year and sets the Council’s budget for the following financial year (and the business of the Meeting is largely restricted to the budget);
  - 3.2.2 an **Ordinary Meeting** – the Body in question transacts general business, as described further below.
- 3.3 **Extraordinary Meetings** – the Body in question transacts only the specific business for which the Meeting has been called, as described further below.

## 4 Calling Meetings

- 4.1 The dates and times for Annual and Ordinary Meetings are set out in the **Timetable of Meetings** agreed from time to time by Council.
- 4.2 In any event:
  - 4.2.1 the First Annual Meeting of Council following an election will take place within twenty one days of the retirement of the outgoing Councillors;
  - 4.2.2 in any other year, the Annual Meeting of Council will usually take place in May.
- 4.3 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 Chairman and/or Vice-Chairman of the Body (and, as necessary and appropriate in the circumstances, the **Group Leaders** and/or **Deputy Group Leaders**), with the Chairman of the Body having the final say as to how to proceed.
- 4.4 An Extraordinary Meeting of a Body may be convened:
  - 4.4.1 by the Chairman of the Body; or
  - 4.4.2 by the **Service Director (Strategy and Governance)**; or
  - 4.4.3 by **Members** of the Body presenting a requisition to the Service Director (Strategy and Governance) signed by at least:
    - 4.4.3.1 25% of the Councillors for an Extraordinary Meeting of Council; or
    - 4.4.3.2 three Members of any other Body for an Extraordinary Meeting of that Body; in which event
    - 4.4.3.3 the Extraordinary Meeting shall be called by the Service Director (Strategy and Governance) as soon as is practicably possible, but not later than 15 working days from the date that the requisition is presented to them.

## 5 Quorum

- 5.1 The quorum for a Meeting:
  - 5.1.1 of Council is one quarter of the whole number of Councillors;
  - 5.1.2 of the Executive is four **Executive Members**;
  - 5.1.3 of a Committee is one third of the Committee membership or four Committee Members, whichever is the greater;
  - 5.1.4 of a **Licensing Sub-Committee** or **Appeals Panel** is three Members;

- 5.1.5 of a Task Group or other Sub-Committee is one third of the Task Group or Sub-Committee membership or three Task Group or Sub-Committee Members, whichever is the greater.
- 5.2 During any Meeting if the Chairman counts the number of Members present and declares there is not a quorum present:
  - 5.2.1 the Meeting will adjourn immediately; and
  - 5.2.2 the remaining business will be considered at a time and date fixed by the Chairman (or, if the Chairman does not fix a date, at the next Ordinary Meeting).

## 6 Standard Business to be taken in order (where applicable – see Table)

- 6.1 To elect a Member to preside if the Chairman/Vice-Chairman of the Body is not present - any power or duty assigned to the Chairman of the Body in relation to the conduct of the Meeting may be exercised by the person presiding at the Meeting.
- 6.2 To receive apologies for an inability to attend the Meeting.
- 6.3 Any Chairman's remarks to the Meeting.
- 6.4 To elect the Chairman of the Body (only at the Annual Meeting, unless there is a vacancy).
- 6.5 To elect the Vice-Chairman of the Body (only at the Annual Meeting, unless vacancy).
- 6.6 To approve the [Minutes](#) of the previous Meeting(s).
- 6.7 To receive [Declarations of Interest](#).
- 6.8 To elect the Leader for a four year term (only at the First Annual Meeting of Council following an election, unless there is a vacancy).
- 6.9 To receive the Leader's notification of the number and membership of the Executive.
- 6.10 To receive announcements from the Chairman/[Head of Paid Service](#)/Leader/Executive.

## 7 Terms of office of the Chairman of Council and Leader of Council

- 7.1 In accordance with s3, LGA 1972, the Chairman of Council shall, unless they resign or become disqualified, continue in office until their successor becomes entitled to act as Chairman of Council.
- 7.2 During their term of office, the Chairman of Council shall not be elected as Chairman of any Committee.
- 7.3 The Leader shall, unless they resign or become disqualified, continue in office until their successor becomes entitled to act as Leader.

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

- 8.1 To receive [Petitions](#) submitted in accordance with Part [].
- 8.2 To respond to public written [Questions](#) submitted in accordance with Part [].
- 8.3 To decide on Committees including:
  - 8.3.1 the size and terms of reference;
  - 8.3.2 the allocation of seats to political groups in accordance with the political balance rules.
- 8.4 To appoint [Councillors](#) to Committees.
- 8.5 To appoint Councillors to [Outside Bodies](#) (where the power to appoint has not been delegated, eg to the Leader).

- 8.6 To agree amendments to the Constitution.
- 8.7 To respond to Petitions previously received.
- 8.8 To receive and consider Reports and Recommendations from the Executive/[the Scrutiny Commission](#)/Officers.
- 8.9 To deal with matters referred from the Council/[the Scrutiny Commission](#).
- 8.10 To receive [Reports](#) on joint arrangements/external organisations and receive questions/provide answers on such.
- 8.11 To consider Motions submitted by Councillors.
- 8.12 To respond to Members' written Questions submitted in accordance with Part [].
- 8.13 To consider a [Called In](#) item.
- 8.14 To consider a [Call for Action](#).
- 8.15 To consider the business/any other business specified in the [Agenda](#).

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

- 9.1 To appoint a Chairman for the Meeting if both the Chairman and Vice-Chairman are absent.
- 9.2 To agree the accuracy of the Minutes/any amendments.
- 9.3 To refer any matter to the Council, the Executive, a Committee or an [Officer](#).
- 9.4 To establish a Committee and appoint members if such if arises from an Agenda item.
- 9.5 To establish a Task Group and appoint members if such if arises from an Agenda item.
- 9.6 To establish a Sub-Committee and appoint members if such if arises from an Agenda item.
- 9.7 To amend or withdraw a Proposal (a Motion, Recommendation or Amendment) as permitted.
- 9.8 To amend the time limit for speeches (if any).
- 9.9 To allow a member of the public to speak in accordance with these Rules of Procedure.
- 9.10 To allow the continuation of the Meeting past 22:00 (to conclude by 22:30).
- 9.11 To suspend a Rule of Procedure where permitted.
- 9.12 To exclude the press and public in accordance with statute.
- 9.13 That a Member [Named for Disorderly Conduct](#) not to be further heard or leave the Meeting.
- 9.14 A [Closure Motion](#) (see [Rules of Debate](#) – Closure Motions below).

## 10 Motions other than Procedural Motions - submission

- 10.1 A Motion must:
  - 10.1.1 relate to matters of concern to the [District](#);
  - 10.1.2 be submitted in the name of a Member or Members of the Body to which it is addressed;
  - 10.1.3 identify at which Meeting it is to be considered;
  - 10.1.4 be submitted in writing to the Service Director (Strategy and Governance).
- 10.2 A Motion:
  - 10.2.1 may be submitted to any Meeting of the Executive;

- 10.2.2 may not be submitted to an Annual Meeting or an Extraordinary Meeting (other than of the Executive);
- 10.2.3 may only be submitted to a Budget Meeting of Council if (in the sole opinion of the [S151 Officer](#)) it relates to expenditure or revenue;
- 10.2.4 may be submitted to an Ordinary Meeting.
- 10.3 A Motion:
  - 10.3.1 may be submitted for any Meeting of the Executive without Notice;
  - 10.3.2 must be submitted for any other Meeting on Notice:
    - 10.3.2.1 by 10:00 at least seven clear working days before the Meeting to which it is to be submitted; or
    - 10.3.2.2 by 10:00 on the day of the Meeting if it is an [Urgent Motion](#) and has the written consent of the Chairman of the Body to which it relates.
- 10.4 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:
  - 10.4.1 Motions to the Executive submitted too late to be included; or
  - 10.4.2 Urgent Motions.
- 10.5 Motions may be:
  - 10.5.1 amended by the Service Director (Strategy and Governance) for the purpose of clarification, in consultation with the Member(s) who submitted it; or
  - 10.5.2 amended or withdrawn by the Chairman of the Body, after informing the Member who submitted it, if it appears the wording is not in order or is framed in improper or unbecoming language.
- 10.6 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 Motions other than Procedural Motions – procedure at Meeting

- 11.1 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.
- 11.2 If the Mover of a Motion ceases to be a Member after the Motion has been formally Moved and Seconded, the Seconder or any other Member may progress the Motion.
- 11.3 If a Motion specified in the Summons is not Moved it shall, unless postponed by consent of the Meeting, be treated as abandoned and shall not be Moved without fresh Notice.
- 11.4 Once Moved and Seconded, the Chairman of the Meeting will indicate that the Motion will be dealt with in one of the following ways:
  - 11.4.1 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 Budget Meeting of Council, 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);
  - 11.4.2 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;

- 11.4.3 be debated at the Meeting in accordance with the [Rules of Debate](#).
- 11.5 If the Motion is not to be considered at the Meeting:
  - 11.5.1 the Mover of the Motion will be permitted to speak on the Motion for a maximum of three minutes; and
  - 11.5.2 the Motion shall be referred to the next practical/appropriate Meeting of the relevant Body; and
  - 11.5.3 the Mover of the Motion shall receive a copy of the Agenda for that Meeting and shall be entitled to attend that Meeting to explain the Motion; and
  - 11.5.4 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 practical/appropriate Meeting of the referring Body; or
  - 11.5.5 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 practical/appropriate Meeting of the referring Body and the Motion shall be debated at that Meeting in accordance with the Rules of Debate.

## 12 Reports and Recommendations

- 12.1 A Report may be presented to a Meeting:
  - 12.1.1 to be noted; or
  - 12.1.2 with a proposal to adopt a Recommendation.
- 12.2 The [Presenter](#) of a Report shall generally be:
  - 12.2.1 for a Report from the Executive, the Leader or relevant Executive Member;
  - 12.2.2 for a report from any other Body, the Chairman or other Member of the Body.
- 12.3 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.
- 12.4 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.

## 13 Amendments to Motions or Recommendations

- 13.1 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 Chairman of the Body.
- 13.2 A proposed Amendment, other than a minor alteration, to a Motion or Recommendation must be relevant to the Motion or Recommendation and seek:
  - 13.2.1 to refer the matter to the Executive, an Executive Member, another Body or an Officer for consideration or reconsideration unless the Chairman rules otherwise in the interests of expediency; or
  - 13.2.2 provided that the effect is not to negate the Motion or Recommendation or to introduce new subject matter, to:
    - 13.2.2.1 leave out words; and/or
    - 13.2.2.2 insert or add words.

- 13.3 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.
- 13.4 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.
- 13.5 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.
- 13.6 Once all Amendments have been disposed of, the Chairman will put the Substantive Motion to the vote.
- 13.7 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.
- 13.8 In relation to the Budget Meeting of Council, any substantive Amendment proposed to the budget shall be submitted to the Council's S151 Officer at least three clear working days before the Meeting. The S151 Officer will then add an opinion on the proposed Amendment and will distribute to all Councillors the following working day.

## 14 Withdrawal of Proposal

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

## 15 Rules of Debate - Speaking

- 15.1 If the Chairman stands or speaks during a Meeting, the Meeting shall be silent and any Member then standing shall resume their seat.
- 15.2 The 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.
- 15.3 With the exception of the Chairman, anyone attending a Meeting of Council in person must, if able, stand when speaking. Anyone attending a Meeting of Council remotely, or attending any other Meeting, may remain seated when speaking.
- 15.4 All speakers shall address the Chairman when speaking.
- 15.5 The Chairman shall decide the order of speakers if more than one speaker wishes to speak.
- 15.6 Members shall direct speeches to the matter under discussion, a [Point of Order](#) or a [Point of Explanation](#).
- 15.7 Speeches shall not exceed five minutes, unless the Meeting consents or another time limit is specified in these Rules of Procedure.

## 16 Rules of Debate – Proposals

- 16.1 In a Meeting of Council 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.
- 16.2 In any other Meeting, with the consent of the Chairman, there may be discussion and debate prior any Proposal being formally Moved.
- 16.3 The Chairman may require a Proposal to be put into writing before it is debated or voted upon.

- 16.4 A Member shall speak only once on any Proposal except to Move a relevant Procedural Motion or to raise a Point of Order or a Point of Explanation, and when a Proposal is under debate no other Proposal shall be Moved except a relevant Procedural Motion.

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

- 17.1 A Member shall be heard:
- 17.1.1 immediately on a Point of Order relating to an alleged breach of a Rule of Procedure or statutory provision identified by the Member;
  - 17.1.2 when the Chairman decides it is relevant on a Point of Explanation concerning some material point in the present debate which appears to have been misunderstood.
- 17.2 The ruling of the Chairman on the validity of, and any action to be taken in respect of, Points of Order or Explanation shall be final.

## 18 Rules of Debate - Closure Motions

- 18.1 At the conclusion of a speech of another Member, a Member may Move without comment that:
- 18.1.1 the debate be adjourned;
  - 18.1.2 the Meeting be adjourned;
  - 18.1.3 the Meeting proceed to the next business;
  - 18.1.4 the Meeting proceed immediately to Close of Debate; or
  - 18.1.5 the question be put.
- 18.2 Should the Closure Motion be Seconded and the Chairman consider that the question before the Meeting has been sufficiently discussed:
- 18.2.1 if the Closure Motion is to adjourn the debate or the Meeting, or to proceed to the next business:
    - 18.2.1.1 the Chairman shall invite the Proposer to reply;
    - 18.2.1.2 the Closure Motion shall be put to the vote and if carried:
      - 18.2.1.3 the debate or Meeting shall stand adjourned, or the Meeting shall proceed to the next business, as the case may be;
  - 18.2.2 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;
  - 18.2.3 if the Closure Motion is that the question be put it shall be put to the vote and if carried the question shall be disposed of accordingly.

## 19 Rules of Debate - Close of Debate

- 19.1 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.:
- 19.1.1 on a Motion or Recommendation:
    - 19.1.1.1 the Secunder, if they have not already spoken;
    - 19.1.1.2 the relevant Executive Member or Chairman of the relevant Body if they have not already spoken;
    - 19.1.1.3 the Mover.



- 19.1.2 on an Amendment:
- 19.1.2.1 the Seconder, if they have not already spoken;
- 19.1.2.2 the relevant Executive Member or Chairman of the relevant Body if they have not already spoken;
- 19.1.2.3 the Mover;
- 19.1.2.4 the Mover of the original Motion or Recommendation who shall not otherwise speak on the Amendment.