



# CONSTITUTION OF THE COUNCIL

## Part 4 Section 1

### COUNCIL STANDING ORDERS

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## 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 on the second Monday in May, or such other day in the month of March, April or May that year as the Council may fix.

### 1.2 Part 1: The Ceremonial Meeting (Mayor Making)

The Meeting will:

- (i) elect a person to preside if the Mayor is not present;
- (ii) elect the Mayor;
- (iii) elect the Deputy Mayor;
- (iv) receive the retiring Mayor's report; and
- (v) adjourn the meeting.

### 1.3 Part 2: The Business Meeting

The Meeting will:

- (i) approve the minutes of the last meeting;
- (ii) receive any announcements from the Mayor and/or the Head of Paid Service;
- (iii) receive a report from the Returning Officer on the outcome of Borough Elections;
- (iv) appoint to committees, in that the annual meeting will:
  - (1) appoint such committees as are required or the Council considers appropriate for the municipal year (noting that Council may decide at subsequent meetings to dissolve committees, alter their terms of reference or to appoint new committees);
  - (2) decide the size and terms of reference for those committees;
  - (3) decide the allocation of seats to political groups in accordance with the rules on political balance;
  - (4) receive nominations of Members to serve on each committee;
  - (5) appoint to those committees (except where appointment to those bodies has been delegated by the Council);

- (v) appoint:
  - (1) the Leader of the Council (Chair of Policy & Resources Committee);
  - (2) the Deputy Leader of the Council (Vice-Chair of Policy & Resources Committee); and
  - (3) the Chairs and Vice-Chairs of all other Council committees, at (iv)(1) above, other than those which the Council has decided should be appointed by the committee itself
- (vi) approve a programme of ordinary meetings of the Council for the year;
- (vii) appoint Members to panels, advisory committees, working parties and miscellaneous other bodies and appoint Members (and/or other individuals) to outside bodies and organisations, unless otherwise delegated; and
- (viii) consider any business set out in the notice convening the meeting.

Unless otherwise determined by statute, the Mayor may vary the order of the agenda at his/her absolute discretion and may allocate or reallocate an appropriate time for the transaction of each item.

## 2. **ORDINARY MEETINGS**

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (i) elect a person to preside if the Mayor and Deputy-Mayor are not present;
- (ii) approve the minutes of the last meeting;
- (iii) receive any declarations of interest from Members;
- (iv) receive any announcements from the Mayor, Leader of the Council or the Head of Paid Service (which, with the exception of the Mayor, will normally be limited to 5 minutes);
- (v) receive questions from, and provide answers to, the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting in accordance with Standing Order 10 below  
(limited to 30 minutes);
- (vi) receive representations from electors of the Borough in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting in accordance with Standing Order 11.1 below;  
(limited to 20 minutes);
- (vii) receive petitions from Members or the public in accordance with Standing Order 11.2 below;

- (viii) receive questions on notice from, and provide answers to, Members in accordance with Standing Order 12.2 below;
- (ix) deal with any business from the last Council meeting;
- (x) receive recommendations and reports from the Council's committees for consideration, including consideration of proposals from the Policy and Resources Committee in relation to the Council's Budget and Policy Framework and receive questions and answers on any of those reports;
- (xi) receive any reports from the Council's Committees for consideration and receive questions and answers on any of those reports;
- (xii) receive reports about and receive questions and answers on decisions made by Committees since the last meeting of Council;  
(limited to 45 minutes);
- (xiii) receive any reports about and receive questions and answers on the business of joint arrangements and external organisations, including the Combined Authority;
- (xiv) consider motions on notice; and
- (xv) 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 proper officer to call Council meetings in addition to ordinary meetings:

- (i) the Council by resolution;
- (ii) the Mayor (or the Deputy Mayor if the Mayor is unable to act);
- (iii) the Monitoring Officer or the Chief Finance (s.151) Officer in exercise of their statutory powers; or
- (iv) any five members of the Council if they have signed a requisition presented to the Mayor and he or 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

The business to be conducted at an extraordinary meeting shall be restricted to the item of business contained in the request for the extraordinary meeting and there shall be no consideration of previous minutes or reports from committees etc. except that the Mayor (or person presiding) may at his or her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

## **4. APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES**

### **4.1 Allocation**

As well as allocating seats on committees and sub-committees, the Council will allocate seats in the same manner for substitute members.

### **4.2 Number**

For each Committee or Sub-Committee, the Council may appoint up to a maximum of half (50%) the number of substitutes in respect of each political group as that group holds ordinary seats on that committee or sub-committee.

### **4.3 Powers and duties**

Substitute members will have all the powers and duties of any ordinary member of the committee when attending a meeting but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

### **4.4 Substitution**

Substitute members may attend meetings in that capacity only:

- (i) to take the place of the ordinary member for whom they are the designated substitute;
- (ii) where the ordinary member will be absent for the whole of the meeting; and
- (iii) after notifying the Monitoring Officer by noon on the day of the meeting of the intended substitution.

### **4.5 Absence**

When the ordinary member and a designated substitute are unable to attend a meeting, a nominated substitute member of the same group may attend the meeting after notifying the Monitoring Officer by 12 noon.

## **5. TIME AND PLACE OF MEETINGS**

The time and place of meeting will be determined by the proper officer and notified in the summons.

## **6. NOTICE OF AND SUMMONS TO MEETINGS**

The proper officer 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 proper officer will send a summons signed by him or her to every member of the Council. The summons will normally be sent via electronic means. The summons will give the date, time and place of each meeting and specify the business to be transacted at the meeting (the agenda) together with accompanying reports.

## 7. CHAIR OF 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 chair of committees and sub-committees.

## 8. QUORUM

The quorum of a meeting will be one quarter of the whole number of members. If, at the end of 15 minutes after the time at which any meeting of the Council is scheduled to start, or at any later point during any meeting, 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 or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

## 9. DURATION OF MEETING

### 9.1 Interruption of the meeting

The Mayor will adjourn the meeting for a period of ten minutes at a convenient time after one and a half hours.

Where three and a half hours have elapsed after the commencement of any meeting (and in the case of an extraordinary meeting of Council when two hours have elapsed since commencement of the meeting) the Mayor shall interrupt the meeting and the Member speaking must immediately cease doing so and sit down. The meeting shall then dispose of the item then under consideration as if the motion '*That the question be now put*' had been carried (i.e. the debate shall be concluded by the seconder and by the Member who has the right of reply and the vote will then be taken without any further discussion). This rule will not apply to meetings of a quasi-judicial or regulatory nature.

### 9.2 Motions and recommendations not dealt with

If there are other motions or recommendations on the agenda that have not been dealt with within that period, they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.

### 9.3 Recorded vote

If a recorded vote is called for during this process it will be taken immediately.

### 9.4 Motions which may be moved

During the process set out in standing orders 9.1- 9.3 above, the only other motions which may be moved are that a matter be withdrawn or that a matter be delegated or referred to an appropriate body or individual for decision or report.

### 9.5 Close of the meeting

When all motions and recommendations have been dealt with, the Mayor will declare the meeting closed.

## 10. QUESTIONS BY THE PUBLIC AT MEETINGS OF COUNCIL

### 10.1 General

Members of the public who are residents of the Borough, or are a representative of a local firm or organisation, may ask questions of the Leader or Deputy Leader of the Council or the Chair of any Policy and Services Committee or a leader of a political group at ordinary meetings and, at the discretion of the Mayor, extraordinary meetings of the Council. If the question relates to any matter within the terms of reference of the Pensions Committee, any member of the public who is a member of the Local Government Pension Scheme in Merseyside or who ordinarily resides within the boundaries of the local authorities which are Scheme Employers, may put the question to the Chair of the Pensions Committee.

### 10.2 Order of questions

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

If the questioner has asked a question at a previous meeting, or the local firm or organisation of whom they are a representative has had a question asked on its behalf, the Mayor shall have the right to change the order of questions or to reject questions which are repetitious.

### 10.3 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Monitoring Officer no later than midday three working days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put. Notice must be provided at this time of any accompanying preamble to be given when putting the question to Council. Questions may be edited as necessary by Monitoring Officer, in consultation with the Mayor, to bring them into proper form and to ensure brevity.

### 10.4 Number of questions

A person may submit only one question at any one meeting and no more than two such questions may be asked on behalf of one organisation.

### 10.5 Scope of questions

If the Monitoring Officer considers a question:

- is not about a matter for which the local authority has a responsibility, or which affects the Borough;
- is illegal, improper, defamatory, frivolous or offensive;

- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information

he or she will inform the Mayor who will then decide whether or not to reject the question.

## 10.6 Record of questions

The Monitoring Officer will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection.

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

## 10.7 Asking the question at the meeting

The Mayor will invite the questioner to put the question to the Member named in the notice. Two minutes are allowed for putting the question. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with. A total of 30 minutes is allocated to public questions.

## 10.8 Supplemental question

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Standing Order 10.5 above. One minute is allowed for putting the supplementary question.

## 10.9 Answers

Every question shall be put and answered without discussion, but the person to whom the question has been put may decline to answer. An answer may take the form of:

- (a) a direct oral answer, for which two minutes are allowed for answering a question and two minutes are allowed for answering a supplementary question;
- (b) where the information requested is contained in a publication of the Council, a reference to that publication; or
- (c) a written answer to be provided later to the questioner, where the reply cannot conveniently be given orally, in which circumstance the councillor questioned will arrange for the written response to be provided to the questioner and circulated to all members within 10 working days thereafter and included as an addendum to the Minutes.

## 10.10 Reference of question to a Committee



Unless the Mayor decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

#### **10.11 Regulatory Committees**

Separate arrangements are in place for the public to ask questions and make representations at meetings of the Planning, Licensing and Regulatory Committees, which are set out in specific schemes applicable to the proceedings of those meetings.

### **11. STATEMENTS AND PETITIONS**

#### **11.1 Representations**

A member of the public may speak on up to two non-procedural items on any Agenda if notice has been given no later than midday three working days before the day of the meeting. The Mayor may, at his or her discretion, limit the number of speakers and the time each speaker may speak for. No speech should exceed three minutes. Each member of the public may only speak once. Public speaking on any one item shall not exceed 10 minutes, subject to the Mayor's discretion to extend the time if he or she considers it appropriate.

#### **11.2 Petitions**

Petitions may be presented to the Council if provided to Democratic and Member Services no later than 12 noon, 3 working days before the meeting, at the discretion of the Mayor. The person presenting the petition will be allowed to address the meeting briefly (not exceeding three minute) to outline the aims of the petition. The Mayor will refer the matter to another appropriate body of the Council within whose terms of reference it falls without discussion, unless a relevant item appears elsewhere on the Agenda. If a petition contains more than 5,000 signatures, it will be debated at a subsequent meeting of Council.

### **12. QUESTIONS BY MEMBERS AT COUNCIL**

#### **12.1 On reports of Committees**

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

#### **12.2 Questions on notice at full Council**

Subject to Standing Order 12.4, at an Ordinary Meeting of the Council a Member may ask the Leader or Deputy Leader of the Council, the Chair of any of the Council's Committees or a Leader of a Political Group on the Council, or representatives on Joint Authorities questions on matters which the Council has powers or duties or which affects the area of the Council and which fall within their responsibility, or which fall within the responsibility of the relevant Joint Authority.

### 12.3 Questions on notice at committees and sub-committees

Subject to Standing Order 12.4, a member of a Committee or Sub-Committee may ask the Chair of it a question on any matter in relation to which the Council has powers or duties or which affect the Borough and which falls within the terms of reference of that committee or subcommittee.

### 12.4 Notice of questions

A Member may only ask a question under Standing Order 12.2 or 12.3 if:

- a) notice of the question has been given by delivering it in writing or by electronic mail to the Monitoring Officer no later than midday three working days before the day of the meeting; or
- b) the question relates to urgent matters, in which event they have the consent of the Mayor (or the Chair of the Committee to whom the question is to be put) and the content of the question is given to the Monitoring Officer by noon on the day of the meeting.

### 12.5 Scope of questions

If the Monitoring Officer considers any question:

- is not about a matter for which the local authority has a responsibility, or which affects the Borough;
- is illegal, improper, defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or

requires the disclosure of confidential or exempt information;

he or she will inform the Mayor who will then decide whether or not to reject the question.

### 12.6 Response

An answer may take the form of:

- a) a direct oral answer, which response should be brief, succinct and to the point.;
- b) by reference to published material of the Council which is readily available to Members; or
- c) a written answer circulated to Members of the Council either during the meeting at which the question is asked or subsequently, in which circumstance the Member questioned will arrange for the written response to be sent to all Members within 10 working days thereafter and included as an addendum to the Minutes.

### 12.7 Supplementary question

Every question, which will be limited to one part, will be asked and answered without discussion. Upon receiving the answer, the Member who put the question shall be

allowed one supplementary question, provided that it arises directly out of the original question or the reply and does not introduce any new subject matter.

The supplementary question will be asked and answered orally, but the person to whom the supplementary question has been asked may decline to answer.

## 12.8 Time limits for questions and responses

No question will exceed one minute and no answer will exceed two minutes.

## 13. MOTIONS ON NOTICE

### 13.1 Notice

Except for motions which can be moved without notice under Standing Order 14, written notice of every motion, must be delivered to the Monitoring Officer in its initial form by nine clear working days before the date of the meeting (the Monday of the second week before each ordinary meeting of the Council where held on a Monday) and in final form noon seven clear working days before the date of the meeting (the Wednesday of the second week before each ordinary meeting of the Council where held on a Monday). Each political group can submit a maximum of one motion on notice at a Council meeting. In the event of a motion being submitted from a Member who is not a member of a political group, the Director of Law and Governance will consult the Mayor in respect to the inclusion of the motion on the agenda.

### 13.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda, unless the member giving notice states, in writing, that they propose to move it to a later meeting. The first motion listed on the agenda will be rotated at each Council meeting to enable the opportunity for any political Group or motion submitted by a Member who is not a member of a political group to be the debated first. Motions listed on the agenda thereafter will be in political group size order. This process will be managed by the Director of Law and Governance, in consultation with the Mayor.

### 13.3 Amendments to Motions on Notice

All amendments to motions on notice must be delivered to the Monitoring Officer in their initial form by 10.00am three working days before the date of the meeting (the Wednesday of the week the meeting of the Council where held on a Monday) and must comply with the requirements of Standing Order 15.6.

The Member submitting the amendment must then confirm in writing to the Monitoring Officer by 12 noon one working day before the meeting whether the amendment is to go forward, or notify the Monitoring Officer of any changes to the amendment. If no withdrawal, confirmation or change is received by the Monitoring Officer, it will be assumed that the amendment is to be considered in its initial form. The Mayor may allow amendments without notice, or alterations to amendments, in exceptional circumstances where the Mayor considers it conducive or necessary to the business of the Council to do so.

### 13.4 Scope

If the Monitoring Officer considers a motion or an amendment to a motion:

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

he or she will inform the Mayor who will then decide whether or not to reject the motion.

## 14 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) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something 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 adoption of recommendations of committees or officers and any resolutions following from them;
- g) to withdraw a motion;
- h) to amend a motion (members are strongly encouraged, where possible, to share motions and amendments with fellow Committee Members in advance of the meeting);
- i) to proceed to the next business;
- j) that the question be now put'
- k) to adjourn a debate;
- l) that the meeting continues beyond 3.5 hours in duration (2 in the case of an extraordinary meeting);
- m) to suspend a particular Council Standing Order;
- n) to exclude the public and press in accordance with the Access to Information Rules;
- o) to not hear further a member named under Standing Order 20.3 or to exclude them from the meeting under Standing Order 20.4; and
- p) to give the consent of the Council where its consent is required by this Constitution.

## 15. RULES OF DEBATE

### 15.1 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.

### **15.2 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 or her before it is discussed.

### **15.3 Secunder's speech**

When seconding a motion or amendment, a Member shall reserve their speech until immediately before the reply made by either the Mayor or the mover of the original motion under Standing Order 15.9. No further ordinary speeches shall be made after the seconder has spoken.

### **15.4 Content and length of speeches**

Speeches must be directed to the question under discussion or to a personal explanation or point of order. The proposer of a motion may speak for up to 5 minutes when introducing the motion. No other speech may exceed 3 minutes without the consent of the Mayor.

### **15.5 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 or she last spoke;
- c) if his or 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 or she spoke was carried);
- d) in exercise of a right of reply (as per 15.9 below);
- e) on a point of order (as per 15.12 below); and
- f) by way of personal explanation (as per 15.13 below).

### **15.6 Amendments**

- 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) 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.

#### **15.7 Alteration of motion**

- a) A Member may alter a motion of which he or 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 or 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.

#### **15.8 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.

#### **15.9 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.

#### **15.10 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) that the question be now put;
- e) to adjourn a debate;
- f) that the meeting continues beyond 3.5 hours in duration (2 in the case of an extraordinary 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 Standing Order 20.3 or to exclude them from the meeting under Standing Order 20.4.

#### 15.11 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 or 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.

#### 15.12 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.

### **15.13 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.

### **15.14 Motions affecting persons employed by the Council**

If any question arises at a meeting of the Council as to the appointment, promotion, dismissal, salary, superannuation or conditions of service, or as to the conduct, of any person employed by the Council, that question shall not be discussed until the Council, committee or sub-committee has decided whether or not the power of exclusion of the public under the Access to Information Rules should be exercised.

### **15.15 Joint Debates**

The Mayor or Council can agree to deal with the two or more related motions or amendments in one debate. Each mover and seconder of a motion should have the right to speak in accordance with Standing Order 15.3, 15.2 and 15.9. Separate votes shall be taken on each motion and amendment as if the debate had otherwise taken place in accordance with this Standing Order 15.

## **16. PREVIOUS DECISIONS AND MOTIONS**

### **16.1 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 17 members.

### **16.2 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 17 Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

### **16.3 Reconsideration during the meeting**

No resolution or recommendation (other than a procedural resolution) made by a committee or panel during the course of a meeting shall be rescinded or amended by the committee or panel during the same meeting or any adjournment of it unless there are reasonable grounds for believing that all of the material information was not available at the time that the resolution or recommendation was passed.

## **17. VOTING**

### **17.1 Majority**



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

## **17.2 Casting Vote**

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

## **17.3 Method of Voting**

Unless a recorded vote is demanded under 17.4 below, the Mayor will take the vote by use of the electronic voting system or, if there is no dissent, by the affirmation of the meeting.

The Mayor may decide at any time to discontinue use of the electronic voting system if satisfied that it is not working correctly. If the Mayor considers that there has been any malfunction of the equipment or any incorrect use of it, the Mayor may require or allow the vote to be retaken, either electronically or by show of hands.

Where the electronic voting system is not working correctly or unavailable, the Mayor will take the vote by show of hands.

## **17.4 Recorded Vote**

If a Member of the Council makes a request before a vote is taken and is supported by five other members rising in their places, the voting on any question shall be by roll-call and the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.

This Standing Order will apply automatically in respect of a vote taken at a Budget Decision Meeting of the Council in accordance with the Budget and Procedure Rules at Part 4(3) of this Constitution.

## **17.5 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 he/she voted for or against the motion or abstained from voting.

## **17.6 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. (This includes the office of the Mayor which is by election by Council).

## **18. MINUTES**

### **18.1 Signing the minutes**

The Mayor will sign the minutes of the proceedings at the next suitable meeting. The Mayor will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

## **18.2 No requirement to sign minutes of previous meeting at extraordinary 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), 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 of the Local Government Act 1972 relating to signing of minutes.

## **18.3 Form of minutes**

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

## **19. 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(2) of this Constitution or Standing Order 21 (Disturbance by Public).

## **20. MEMBERS' CONDUCT**

### **20.1 Standing to speak**

When a Member speaks at Full 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.

### **20.2 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.

### **20.3 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.

### **20.4 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 meeting is adjourned 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 Mayor may adjourn the meeting for as long as he or she thinks necessary.

## 21. **DISTURBANCE BY PUBLIC**

### 21.1 **Removal of member of the public**

If a member of the public interrupts or otherwise disturbs the conduct of proceedings, the Mayor will warn the person concerned. If they continue to interrupt, the Mayor 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 Mayor may call for that part to be cleared.

## 22. **PHOTOGRAPHY AND AUDIO/VISUAL RECORDING OF MEETINGS**

Any member of the public may film, audio record, take photographs and use social media to report the proceedings of any meeting that is open to the public in accordance with the published notices.

## 23. **SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES**

### 23.1 **Suspension**

All of these Council Standing Orders, except 17.4, 17.5 and 18.2 (which are amongst the mandatory standing orders), 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.

### 23.2 **Amendment**

Any motion to add to, vary or revoke these Council Standing Orders will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

## 24. **APPLICATION TO COMMITTEES AND SUB-COMMITTEES**

All of the Council Standing Orders apply to meetings of Full Council.

These Council Standing Orders also apply to all Committee and Sub-Committee meetings, except:

- 1-3 (meetings of Full Council);
- 4 (appointment of substitute committee members by Council); and
- 20.1 (standing to speak).