

## PART 4A – COUNCIL PROCEDURE RULES

### Section A - Standing Orders Relating to Council Meetings

\*Note:- Except where the context otherwise requires, references to “Committees” applies to any body (apart from the Executive or a Committee of the Executive) which is exercising the Council’s or Executive functions and whose business either must or may be brought to the Council for consideration in accordance with the Council’s Constitution.

#### 1 Meetings of the Council

1.1 In addition to the Annual Meeting of the Council and any meetings convened by the Lord Mayor, or by Members of the Council, meetings of the Council for the transaction of general business shall be held in each year as decided by the Chief Executive in consultation with the Political Groups.

1.2 All ordinary meetings of the Council will be held at 6.15 pm (or 6.30 pm if preceded by a pre-Council seminar) at the Guildhall, unless otherwise determined by the Council. The date and time of the Annual Meeting will be determined by the Chief Executive following consultation with the Lord Mayor Elect and the Leader of the Executive and Political Group Leaders.

1.3 All ordinary meetings will finish ~~by~~ three and a half hours ~~(that usually being 10.00 pm)~~ after the start time of the meeting, unless extended by agreement of the Council (such agreement shall be signified by a show of hands following a motion duly proposed and seconded, before the allocated time has elapsed, which shall be put to the vote without debate). ~~All~~ outstanding items of business will be deemed to have been proposed and seconded and will be voted on without debate prior to the expiry of the meeting time (which is either three and a half hours after the start or by such time as the Council agreed to extend it).

1.4 Extraordinary meetings of the Council may, in accordance with Schedule 12 of the Local Government Act 1972, be called by the Lord Mayor or, if, the Lord Mayor fails within seven days to call an extraordinary meeting after a requisition for that purpose, signed by five Members of the Council, has been presented to him/her, then any five Members of the Council may forthwith call an extraordinary meeting of the Council.

#### 2 Chair of the Meeting

2.1 Any powers or duties of the Lord Mayor, as Chair, in relation to the conduct of a meeting may be exercised by the person presiding at the meeting. In the absence of the Lord Mayor the Deputy Lord Mayor will preside. In the absence of both, then the Council will elect a chair for that meeting.

#### 3 Quorum of the Council

[Annex 1 Constitutional Update amended SOs minimum amended SOs minimum1 amended SOs minimum](#)

3.1 The quorum for a meeting of the Council is one quarter of the whole number of Members of the Council.

3.2 If at any time during the meeting of the Council, the Chair declares there is not a quorum present, the meeting stands adjourned.

3.3 The consideration of any business not transacted will be adjourned to a time fixed by the Chair at the time the meeting is adjourned, or if the Chair does not fix a time, to the next ordinary meeting of the Council.

#### 4 Order of Business

##### 4.1 Annual Meeting

At the Annual Meeting of the Council, the order of business shall be as follows:-

(a) Declarations of interest

(b) To elect the Lord Mayor for the ensuing municipal year.

(c) To appoint a Deputy Lord Mayor for the ensuing municipal year.

(d) To appoint a Sheriff for the ensuing municipal year.

(e) To establish an Executive for the purposes of the Local Government Act 2000. In so doing;

i. To appoint a Member as the Executive Leader for the ensuing municipal year (called the 'Executive Leader').

ii. To appoint a Member to act as Deputy Executive Leader of the Executive.

iii. To appoint other Members of the Executive up to any maximum as may be defined by law.

iv. To approve the portfolios of the Council's Executive so appointed.

(f) To review and determine for the ensuing municipal year, under Section 15 of the Local Government and Housing Act 1989 (or any re-enactment or modification to it):

i. the allocation of seats on Committees to any political groups formed under the Local Government (Committees and Political Groups) Regulations 1990 or any substituted regulations, and

ii. the allocation of seats to any Members of the Council who are not Members of any such political group.

(g) To approve the membership of the Council's Committees for the ensuing municipal year.

(h) To appoint Chairs and Vice-Chairs (where appropriate) of the Council's Committees for the ensuing municipal year.

(i) To approve appointments of Council representatives on outside bodies for the ensuing municipal year except where this is the function of the Executive or is delegated to another person or body under the Council's Constitution.

(k) To consider any business brought before the Council by the Lord Mayor on grounds of urgency under paragraph 4 (5) of schedule 12 of the Local Government Act 1972.

#### 4.2 Budget Council

~~4.2.1 Except as otherwise provided by sub-paragraph 4.3.2 of this standing order, the~~

~~order of business at Budget Council shall be:-~~

~~(a) To consider any business raised by the Lord Mayor~~

~~(b) To hear any public participants in relation to business associated with setting the Council's budget for the coming financial year.~~

~~(c) To receive any petitions presented by Members in relation to business associated with setting the Council's budget for the coming financial year.~~

~~(d) To consider and determine the Executive's recommendations on setting the following budgets for the coming financial year:~~

~~i) revenue budget (including fees and charges and Housing Revenue Account estimates);~~

~~ii) capital programme~~

~~(e) To agree a Council Tax resolution for the coming year based on the above agreed budget; and~~

~~(f) To consider and determine the Executive's recommendations in relation to the Treasury Management Statement and Prudential Indicators, as necessary~~

#### 4.23 Ordinary Meeting

4.23.1 Except as otherwise provided by sub-paragraphs 4.23.2 and 4.2.3 of this standing order, the order of business at every ordinary meeting of the Council shall be:-

(a) To choose a person to preside if the Chair (Lord Mayor) or Vice-Chair (Deputy Lord Mayor) is absent.

(b) Declarations of interest.

(c) To approve as a correct record and sign the minutes of the last meeting or meetings of the Council.

(d) Lord Mayor's Business.

(e) Public Participation under Standing Order 6.

(f) To receive petitions, if any, from Members in accordance with Standing Order 7.

~~(g) To consider motions under Standing Order 12.~~

(gh) To receive and consider a written report from the Leader on the work of the Executive including such recommendations for approval as may have been made by the Executive.

(h) To receive and consider recommendations of Committees (other than Scrutiny Bodies) in the order in which they appear on the Summons for the meeting in accordance with Standing Order 9 and to answer any questions of the Chair of any such Committee under Standing Order 11.2.

(i) To receive and consider a written report from the Chair of Scrutiny Management Committee including such recommendations for approval as may have been made by that Committee and to answer any questions of the Chair of Scrutiny Management Committee under Standing Order 11.2.

(j) To receive and consider and report or recommendations of other Scrutiny bodies

(ki) To receive and consider a written report from Executive Members in an agreed rotation as set out in Standing Order 8.2 and to question such Members thereon.

(l) In accordance with the procedures set out in Standing Order 11.2, to ask questions of the Council's representatives on various outside bodies to be determined and reviewed yearly at the Annual Meeting. The minutes of any meetings of selected bodies will be made available to view on the Council's website prior to the relevant Council meeting.

~~(j) To ask questions of any Executive Member in accordance with Standing Order 11.3.~~

~~(k) To receive and consider recommendations of Committees (other than Scrutiny Bodies) in the order in which they appear on the Summons for the meeting in accordance with Standing Order 9 and to answer any questions of the Chair of any such Committee under Standing Order 11.2.~~

~~(l) To receive and consider a written report from the Chair of Scrutiny Management Committee including such recommendations for approval as may have been made by that Committee and to answer any questions of the Chair of Scrutiny Management Committee under Standing Order 11.2.~~

~~(m) To receive and consider recommendations of other Scrutiny bodies.~~

~~(n) In accordance with the procedures set out in Standing Order 11.2, to ask questions of the Council's representatives on various outside bodies to be~~

~~determined and reviewed yearly at the Annual Meeting. The minutes of any meetings of selected bodies will be made available to view on the Council's website prior to the relevant Council meeting.~~

~~(m) To make any changes in the membership of the Executive, Committees and outside bodies, together with changes to relevant Chairs/Vice Chairs~~

~~(n) To consider motions under Standing Order 12.~~

(o) To dispose of any business standing adjourned from any previous meeting of the Council.

~~(p) To make any changes in the leadership of the Executive and/or in Executive membership as may be recommended by the Executive or determined by Council.~~

~~(q) To make any changes in the membership of and to the Chairs/Vice Chairs of the Executive, Committees and outside bodies.~~

~~(pe) To ask questions of any Executive Member in accordance with Standing Order 11.3.~~

(qf) To consider any business, brought before the Council by the Chair on the grounds of urgency in accordance with Section 100 (B) (4)(b) of the Local Government Act 1972.

4.23.2 The order of business may be varied at the Chair's discretion, or by resolution passed on a motion duly moved, seconded and decided without discussion.

#### 4.2.3 Budget Council

Except as otherwise provided by sub-paragraph 4.3.2 of this standing order, the order of business at Budget Council shall be:-

(a) To consider any business raised by the Lord Mayor

(b) To hear any public participants in relation to business associated with setting the Council's budget for the coming financial year.

(c) To receive any petitions presented by Members in relation to business associated with setting the Council's budget for the coming financial year.

(d) To consider and determine the Executive's recommendations on setting the following budgets for the coming financial year:

i) revenue budget (including fees and charges and Housing Revenue Account estimates);

ii) capital programme

(e) To agree a Council Tax resolution for the coming year based on the above agreed budget; and

Annex 1 Constitutional Update amended SOs minimum amended SOs minimum1 amended SOs minimum

(f) To consider and determine the Executive's recommendations in relation to the Treasury Management Statement and Prudential Indicators, as necessary

#### 4.3 Extraordinary Meetings

Business at extraordinary meetings of the Council shall be restricted to the item of business for which the meeting has been called.

#### 5 Minutes of the Council

5.1 When the minutes of the last meeting come before the Council, the Chair will move "That the minutes of the meeting of the Council held on (the relevant day), be signed as a correct record".

5.2 No discussion will take place upon the minutes except with regard to their accuracy. If no questions of accuracy are raised or, if they are, once they have been dealt with to the satisfaction of the Chair, the Chair will sign the minutes.

#### 6 Public Participation

6.1 With the exception of the Annual Meeting, any member of the public shall be entitled, provided that prior notice has been given to the Chief Executive before 5:00 pm on the working day before the meeting, to address the Council for up to 3 minutes or to ask any Member of the Council a question, on, in either case, any matter directly relevant to the business of Council or the City. Provided that a) in the case of Budget Council, any public participants must address business on the agenda in so far as it may relate to the setting of the budget for the coming financial year and b) in the case of an extraordinary meeting public participants must only address the business on the agenda.

6.2 Any questions to Council shall be put and answered without discussion, either by a direct answer or, on questions which could not reasonably be dealt with at the meeting, by a written answer.

6.3 No discussion will take place on any matter raised by a member of the public when addressing the Council. When the speaker has finished, the Chair of Council will announce how the issues raised by the participant will be dealt with. The options most usually being:

(a) to note the comments made;

(b) to refer the issues to the Executive or another appropriate Committee for consideration; or

(c) to take into account the comments made as part of any debate on a related decision to be made later on the agenda.

6.4 The time spent on this item shall not, except at the discretion of the Lord Mayor, exceed 30 minutes.

## 7 Presentation of Petitions by Members of the Council

7.1 At any meeting of the Council, except the Annual Meeting, provided that notice has been given to the Chief Executive, by 10.00am on the working day before the meeting, any Member may present a petition, provided that the presentation does not to exceed three minutes. Any petitions presented to Budget Council should relate to business on the agenda and be related to the setting of the budget for the coming financial year. Any petition presented to an extraordinary meeting should relate only to business on the agenda for that meeting.

7.2 No discussion will take place on any matter raised by a petition, but the matter will stand referred to the Executive or to the appropriate Committee.

## 8 Executive and Committee Reports

### 8.1 Leader

8.1.1 The Leader will present a written report on the work of the Executive. ~~and will move that such recommendations that require confirmation by Council be received and approved.~~ In the absence of the Leader, the Deputy Leader will present the report. In the absence of both the Leader and Deputy Leader, an Executive Member will present the report. The presentation of the Leader's report will not exceed 5 minutes. ~~and the Leaders of the Opposition groups on the Council will be allocated have~~ up to 5 minutes each to respond to issues raised in the Leader's ~~report presentation.~~ The Leader will have 5 minutes to respond thereafter.

8.1.2 Any written questions submitted on the Leader's report in accordance with Standing Order 11.1 and not reached, due to timing restrictions ~~or the falling of the guillotine,~~ will be deemed to require a written answer, circulated to all Members in accordance with the deadline stated in Standing Order 11.4.

8.1.32 (a) The Leader will then move such recommendations from the Leader's report as require confirmation by Council ~~(a)~~ When the recommendations have been presented to Council and duly moved and seconded, any amendments to recommendations of which notice has been given under Standing Order 9 will be debated.

(b) Any Member may without notice move references back of any item requiring confirmation by Council.

### 8.2 Executive Member

8.2.1 The Executive Member will answer questions on any item in their written report, the time spent on this item shall not exceed 10 minutes. Such

questions must relate directly to the report and be received by the Chief Executive in writing on the day before the meeting. Any written questions submitted on the Executive Member's report in accordance with Standing Order 11.1 and not reached, due to timing restrictions or the falling of the guillotine, will be deemed to require a written answer, circulated to all Members in accordance with the deadline stated in Standing Order 11.4.

8.2.2 Provided that all party groups, on the advice of the Chief Executive, agree that the subject matter is of significant public interest to citizens of York and relates to an issue not known prior to the publication of the Council agenda, the Chair of Council may exercise discretion to allow additional questions to be put where the following criteria are met:

(a) the subject matter of the question must be such that the public might reasonably expect the Executive Member to respond before the next available Council meeting; and/or

(b) any delay in the question being put would be likely to seriously prejudice the Council's position or the public's interest.

8.2.3 The Executive Member will present any recommendations which require confirmation by Council. Such recommendations will be dealt with as in 8.1. ~~2-3~~

## 9 Committees of Council

9.1 The Chair of a Committee will present any recommendations of that Committee requiring confirmation to Council, and move that they be received and approved. In the absence of the Chair another Member of the Committee may move the recommendation.

(a) When the recommendations of a Committee requiring confirmation have been presented to Council and duly moved and seconded, they will be dealt with as in 8.1. ~~2-3~~ above;

(b) Any Member may without notice move references back of any item requiring confirmation by Council.

9.2 The Member designated to speak (Leader, Executive Member or Chair of Committee or their appointed spokesperson) has the final right of reply to any amendment or motion moved under this Standing Order and the final right of reply to any questions or speeches.

## 10 Amendments to Minutes Requiring Confirmation

10.1 No motion to amend a recommendation of the Executive or a Committee which is put forward for the approval of the Council shall be moved at any meeting of the Council unless notice in writing setting out the amendment is delivered to the Chief Executive not later than 10.00 am on the working day before the meeting of the Council at which the recommendation is to be



considered. This Standing Order will not apply to recommendations which are circulated or tabled after the notice convening the meeting is sent out as permitted by Standing Order 3.2 in Pt 4B. In respect of such Minutes amendments may be moved without notice.

10.2 Details of all such amendments received shall be made available to all members of the Council at the meeting in question.

10.3 If more than one amendment is received to the same Minute, the order in which they are debated shall be determined by the Chair of Council.

## 11 Questions to Leader and Executive Members

11.1 A member of the Council may ask a question on the written reports of the Leader or the Executive Member subject to those questions being submitted in writing to the Chief Executive no later than the day prior to the Council meeting.

Individual time limits for dealing with each of these reports are set out within Standing Order 8. The Chair of Council will determine the order in which questions should be put and answered to reflect political balance, public expectation and significance to the Council.

If the Executive Member is absent from the meeting, the Leader shall appoint another Member to reply.

11.2 A member of the Council may ask any Chair of a Committee or the Council's representatives on a relevant outside body a question upon any item of the minutes of that Committee or the minutes of that outside body when that item is under consideration by the Council under Standing Order 4.3.1(k), (l), (m) and (n) as the case may be. Such questions must be given to the Chief Executive in writing on the day before the meeting and the overall time limit for such questions is 10 minutes (see Standing Order 8.2).

11.3 A member of the Council may :

(a) If 6 clear days notice in writing has been given to the Chief Executive, ask the Leader of the Executive or any other Executive Member any question on any matter which falls within their portfolio;

(b) With the permission of the Chair of the Council, the Leader of the Executive, an Executive Member or the Chair of any Committee may answer any question relating to urgent business of which notice may or may not have been given. A copy of any question to be delivered to the Chief Executive not later than 10.00am on the morning of the day of the meeting.

(c) Provided all party groups agree, on advice from the Chief Executive, that the subject matter is of significant public interest to the citizens of York and meets the following criteria, the Chair of Council may exercise

discretion to allow additional questions to be put in writing to the Leader, Executive Members, Chairs of Committees or to Council representatives on outside bodies (see Standing Order.4.3.1(n)) in so far as any such questions must relate to issues not known prior to the publication of the Council agenda:

i) the subject matter of the question must be such that the public might reasonably expect the Executive Member to respond before the next available Council meeting; and/or

ii) any delay in the question being put would be likely to seriously prejudice the Council's position or the public's interest.

(d) The overall time limit for such questions under Standing Order.10 is 40 minutes.

11.4 Questions shall be put and answered without discussion, by either a direct answer or, on questions which could not in the opinion of the Chair be reasonably dealt with at the meeting, by a written answer, circulated to all Members within 5 working days after the close of the meeting. Any such written answers will be publicised as soon as practicable after the meeting.

11.5 In the absence from the meeting of the original questioner, subject to their consent, any other Member of Council may put the question.

11.6 In the absence from the Council meeting of the Leader, a question to the Leader may be answered by the Deputy Leader or by such other Executive Member nominated by the Leader or the Deputy Leader for that purpose.

11.7 In the absence from the Council meeting of the appropriate Chair of a Committee any other Member of the Committee nominated by the Leader for that purpose may answer the question.

11.8 One supplementary question from the original questioner and two others by any Member of the Council may be put, arising out of any answer.

## 12 Notices of Motion

12.1 Except in the cases specified in Standing Order 14, Notices of Motion shall be submitted to the Chief Executive in writing as follows:

Either

(a) for initial consideration by the Executive. Consideration of any such Notices of Motion at the next scheduled meeting of the Executive cannot be guaranteed unless they are submitted in writing no later than 5 clear working days prior to the publication of the agenda for that meeting. The stated timescale exists to enable the preparation and publication of an officer report to the same Executive meeting on the implications of the Notice of Motion. The Executive will receive and

consider the officer report and refer it, together with the Notice of Motion to the next possible Council meeting.

Notices of Motion submitted to the Executive by this route will not be liable to 'call-in' procedures because the Executive will not be making any decision on any Notices of Motion other than a direct referral to Council.

Or

(b) for consideration directly by Council, provided Notices of Motion are submitted by noon, 7 clear working days before the Council meeting at which any such Motions are intended to be proposed.

Any such Notices of Motion submitted under process (b) above may be required, either at the discretion of the Chair of Council [acting on advice from the Chief Executive] to be referred (in full or part) to the Executive or other appropriate Committee for the purpose of considering an officer report, where necessary.

In the event of:

- i) the Chair of Council making a ruling to refer to the Executive, no further debate on the Notice of Motion will take place; or
- ii) Council itself proposing to make such a referral, that will only be effected on a motion to refer being proposed, seconded, debated and agreed by a majority of those present.

Such decision to refer a Notice of Motion (in full or part) to the Executive or appropriate Committee will then be subject to the process set out in (a) above.

12.2 No Council meeting will receive more than 5 Notices of Motion at any one meeting whether any such be submitted by either process (a) or (b) above, except that any Notice of Motion received by the Council at a previous meeting and referred to the Executive or appropriate Committee under the provisions of paragraphs (b) (i) or (ii) above shall not be counted as one of the 5 Notices of Motion when it is referred back to the Council.

12.3 The Chair may exclude from the Council agenda any Notice of Motion which may be out of order based on the advice of the Chief Executive.

12.4 The Chair will have discretion to add to the agenda any Notice of Motion which is considered to be sufficiently 'urgent' based on the criteria below, provided written notice of the Motion is given to the Chief Executive no later than 10.00 am on the day of the Council meeting:

(a) That the subject matter of the Motion is such that the public might reasonably expect the Council to debate the issue before the next

available Council meeting and/or;

(b) That any further delay would seriously prejudice the Council's position or the public's interest in the matter

The above being subject to all party agreement that the subject matter of the Notice of Motion is of significant interest to the citizens of York and relates to an issue not known prior to the publication of the Council agenda.

12.5 Amendments to Notices of Motion under this Standing Order shall be made in writing to the Chief Executive no later than 10.00 am on the working day before the Council meeting, in a form which constitutes a valid amendment as set out in Standing Order 15.3.3. No amendments may be proposed to any Notice of Motion prior to its publication as part of a Council agenda.

12.6 If a motion or amendment of which notice has been given is reached on the Council agenda and the proposer is absent, the motion or amendment may be proposed by another Member of the Council; and

12.7 Any Member who submits a Notice of Motion to the Executive under Standing Order 12.1(a) above or who proposed a Notice of Motion at a Council meeting under Standing Order 12.1(b) above which was subsequently referred (in full or part) under Standing Order 12.1(b) above to the Executive or appropriate Committee, shall be entitled to attend and speak in relation to their motion at the said meeting. The relevant Member shall be informed of the date, time and venue of such meeting by the Chief Executive.

12.8 Every Motion must be relevant to some matter in relation to which the Council has powers or duties or which directly affects the city.

### 13 Rescission of Preceding Resolutions

13.1 No motion to rescind any resolution which has been passed within the preceding six months nor any motion substantially reproducing any motion which has been rejected within the previous six months will be in order unless signed by at least five Members of the Council.

13.2 This Standing Order does not apply to recommendations brought before the Council by the Executive or a Committee.

### 14 Motions and Amendments which may be moved without notice

14.1 The following motions and amendments may be moved without notice;

(a) to appoint a Chair of the meeting;

(b) motions relating to the accuracy of the minutes of the Council;

(c) that, subject to Standing Order 4, an item of business specified in the

summons has precedence;

(d) to appoint membership of the Executive or a Committee or such other body as occasioned by an item mentioned in the summons to the meeting;

(e) to adopt reports and recommendations of the Executive or Committees;

(f) that leave be given to withdraw a motion;

(g) to extend the time limit for speeches;

(h) that the Council proceed to the next business;

(i) suspending Standing Orders in accordance with Standing Order 21;

(j) that the question be now put;

(k) to adjourn the meeting;

(l) to exclude the public and press from the meeting under the terms of the Local Government Act 1972;

(m) that a Member named under Standing Order 17 be not further heard or do leave the meeting;

(n) to refer a matter requiring confirmation by Council back to the Executive or other appropriate Committee;

(o) to refer to the Executive, or other appropriate Committee, a Notice of Motion in accordance with the provisions of Standing Order 12.1(b).

(p) to extend the meeting before three and a half hours have elapsed

## 15 Rules of Debate

### 15.1 General

15.1.1 The decision of the Chair of the Council is final on all matters of order or personal explanation.

15.1.2 When speaking, a Member is to stand and address the Chair as Lord Mayor.

15.1.3 When the Chair speaks or rises to speak during a debate, any Member then speaking or seeking to speak is to sit down.

15.1.4 If two or more Members indicate that they wish to speak, the Chair will call one and the other(s) will wait until called by the Chair. When a Member is

speaking, the others are to remain sitting unless rising to make a point of order or a personal explanation.

15.1.5 Members may speak once only on the matter under discussion except for the following reasons:

(a) to speak once on an amendment moved by another Member

(b) to move a new amendment if the motion has been amended since s/he last spoke

(c) to speak on the main issue, if the Member first spoke on an amendment moved by another Member (whether or not it was carried)

(d) as the mover of a motion (but not of an amendment), to exercise the right to reply at the end of the debate on the motion before it is put to the vote

(e) as the seconder of a motion or amendment, having reserved (when seconding the motion or amendment) the right to speak until later in the debate

(f) to make a point of order (any point of order must refer to the relevant Standing Order or statutory provision) or personal explanation

## 15.2 Voting

15.2.1 All matters will be determined by a show of hands unless at least three Members of the Council demand that the names be recorded. In that event, the Chief Executive will record the names and votes of the Members present and include them in the Minutes of the meeting. Any Member is entitled to have his/her own vote recorded in the Minutes whether or not a full recorded vote is taken.

15.2.2 Details of all motions and amendments that are lost will be duly recorded in the published minutes of the meeting.

15.2.3 Details of the number of votes for or against motions and amendments at Council, together with any abstentions relating thereto, will be duly recorded in the Minutes

## 15.3 Amendments and Motions

15.3.1 In order to be admissible, motions and amendments to recommendations before the Council must be submitted to the Chief Executive within the stated deadlines (see Standing Orders 10.1, 12.1 and 12.5 and must be moved by one Member and seconded by another. With the exception of procedural motions (see Standing Order 14), all motions and amendments not requiring prior notice must be put in writing and handed to the Chair, if so requested, before they are discussed or put to the meeting.

15.3.2 Amendments and motions to recommendations will be considered in the order determined by the Chief Executive based on an appropriate order for the effective conduct of business.

15.3.3 An amendment must be relevant to the motion and must

- (a) propose leaving out words, or
- (b) propose leaving out words and inserting or adding others, or
- (c) propose inserting or adding words

providing that the effect of the amendment must not simply be to reverse the effect of the motion before Council; such opposition to a motion can be signalled by voting against it.

15.3.4 Subject to the consent of the Council, indicated without discussion, a Member may alter a motion or amendment of which s/he has given notice.

15.3.5 A motion or amendment may be withdrawn by the mover with the consent of the seconder and of the Council (indicated without discussion). No Member may speak after the mover has asked permission for its withdrawal, unless permission to withdraw the motion or amendment is refused.

15.3.6 No Member may move more than one amendment to any motion or substantive question before the Council unless the further amendment comprises new material which is not related to the subject of the previous amendment.

15.3.7 Only one amendment may be moved and discussed at a time unless the Chair rules otherwise and no further amendment is to be moved until the Council has reached a decision on the amendment under discussion.

15.3.8 When a motion is under debate no other motion may be moved except :

- (a) to amend the motion
- (b) to adjourn the meeting
- (c) to proceed to the next business
- (d) that the question now be put
- (e) that a Member be no longer heard
- (f) that a Member leave the meeting
- (g) to exclude the public and press from the meeting under the terms of the Local Government Act 1972.

(h) to extend the time of the meeting

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

The mover of the amendment has no right of reply to the debate on his/her amendment.

15.3.10 When the Council has reached a decision on a motion or amendment, the Chair will refuse to put at the same meeting any subsequent motion or amendment which, if carried, would substantially contradict, override or repeat the former one.

15.3.11 If an amendment is lost, other amendments may be moved on the original motion.

15.3.12 If an amendment is carried, the amended motion replaces the original motion on which any further amendments are moved.

15.3.13 A Member who has not spoken on the substantive issue may move without comment at the end of another Member's speech one of the following:

- (a) "That the Council proceed to the next business"
- (b) "That the question be now put"
- (c) "That the Council now adjourn".

If the motion is seconded, the Chair may do one of the following:

(a) on a motion to proceed to the next business, unless in the Chair's opinion the matter has not been sufficiently discussed, s/he may give the mover of the original motion a right of reply and then put to the vote the motion to proceed to the next business;

(b) on a motion that the question be now put, unless in the Chair's opinion the matter has not been sufficiently discussed, s/he may put to the vote the motion that the question be now put and, if it is carried, then give the mover of the original motion or, if an amendment is under debate, then the mover of that amendment, the right of reply before putting that motion or amendment to the vote;

(c) on a motion to adjourn the meeting, the Chair may put the adjournment motion to the vote without giving the mover of the original motion his/her right of reply on that occasion.

#### 15.4 Points of Order

15.4.1 The following are recognised as breaches of order:

- (a) discussion of a question not before the Council
- (b) the use of improper language
- (c) breach of any Standing Order
- (d) interjection of remarks while a Member is speaking.



15.4.2 A Member may rise on a point of order during a debate, provided that they do nothing more than call attention to the alleged breach of order. The point of order must be very briefly stated to the Chair in the form of a question (in accordance with Standing Order 15.1.5 and the Member raising the point of order must then sit down immediately while the Chair gives a ruling.

15.4.3 A Member against whom a point of order is being raised must sit down until the Chair has ruled on the matter.

15.4.4 If the Chair rules that the language used by a Member is improper, it is the duty of the Member to withdraw it.

#### 15.5 Personal Explanation

15.5.1 If a Member thinks them self injured by misrepresentation made in a debate then they may make a personal explanation provided that

(a) the personal explanation is included in their ordinary speech if they have not already exercised their right to speak; otherwise the Member may speak again

(b) the personal explanation is a brief statement of fact and not further argument of the question before the Council.

#### 15.6 Time Limits

15.6.1 When moving a motion a Member may speak for a maximum of 10 minutes. When presenting a petition, a Member may speak for a maximum of 3 minutes (Standing Order 7.1).

15.6.2 No other speeches (including the moving of amendments and the right to reply) may take more than five minutes without the consent of the Council, which will be determined by a vote on a motion without discussion.

(Note:) These time limits shall not apply to the Leader of the Council and the Leaders of ~~other the Opposition Groups~~ on the Council when they are proposing a motion or an amendment during the meeting which sets the Council's annual budget.

#### 16 Matters Affecting Council Employees

16.1 If any question arises at any meeting of the Council relating to the appointment, promotion, dismissal, salary, superannuation, conditions of service or conduct of any person employed by the Council, no discussion is to take place until the meeting has decided whether or not to exclude the public and press under the terms of the Local Government Act 1972.

16.2 Members should in general avoid discussion of individual officers at Council meetings because this may place the Council in breach of its duty of care towards staff and might compromise any subsequent HR procedures.

## 17 Suspension of Members

17.1 If any Member at a meeting of the Council disregards the authority of the Chair or is guilty of obstructive or offensive conduct the meeting may, on a motion being duly moved, seconded and carried, resolve that the Member should not be heard and should leave the meeting. Such a motion need not be in writing and is put without discussion. If the motion is carried, the Member must leave the meeting immediately.

## 18 Disturbances

18.1 If a member of the public interrupts the proceedings of any Council meeting, they will be warned by the Chair. If the disruption continues, the Chair may order them to leave the meeting. In the event of general disturbance in any part of the Council Chamber, the Chair may order that part to be cleared.

18.2 In the event of general disturbance which in the opinion of the Chair makes the orderly conduct of business impossible, the Chair may adjourn the meeting for as long as necessary.

## 19 Public Documents and Confidential Items

19.1 All agenda, reports and other documents and all proceedings of Council, the Executive and Committees of the Council will be treated as public documents unless they relate to or contain information which is confidential, or exempt in accordance with the provisions of appropriate legislation.

## 20 Interests of Members

20.1 Members are required to comply with the Council's Code of Conduct for Members in relation to the declaration of personal and prejudicial interests.

20.2 If any Member of the Council has any personal and prejudicial interest in any matter that Member is required to withdraw from any meeting at which the matter is discussed unless:

(a) a dispensation has been granted by the Standards Committee or

(b) the matter is under consideration by the Council as part of the minutes of the Executive or a Committee and is not itself the subject of debate or

(c) it is a part of the agenda where a member of the public has a right to speak, in which case the member may speak but must then leave the meeting until the matter is determined

~~20.3 A Member remaining in the Chamber who would otherwise have a prejudicial interest (except for a dispensation granted by the Standards~~

~~Committee) has no entitlement to raise a question or contribute to a debate upon which his/her interest has been declared.~~

20.4~~3~~ The Monitoring Officer will keep a record of declarations available for public inspection.

## 21 Suspension of Standing Orders

21.1 A motion to suspend Standing Orders may not be moved without notice unless at least half of the Members of the Council are present.

21.2 Subject to paragraph 21.1 of this Standing Order, any Standing Orders may be suspended in relation to any business at the meeting where its suspension is moved.

21.3 In cases where suspension of Standing Orders results in a matter being considered by the Council at that meeting rather than being referred to the Executive or a Committee it is necessary for a motion to be moved and seconded to provide a basis for the debate.

## 22 Interpretation of Standing Orders

22.1 The ruling of the Chair as to the meaning or application of any of these Standing Orders or as to any proceedings of the Council is final and may not be challenged at any meeting of the Council.