

## **COUNCIL PROCEDURE RULES**

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### **1. INTRODUCTION**

- 1.1 These rules are designed to ensure meetings of the Council run smoothly and are conducted properly.
  - 1.2 So far as the law allows, any of these rules may be suspended at any meeting of Council, either for the whole meeting or for a particular item on the agenda. In order to achieve this at least one half of the whole number of Members of the Council should be present, a motion must be moved and seconded and a vote carried.
  - 1.3 If any issues arise at a meeting in relation to interpretation of the procedure rules the Chairman's decision shall be final.
  - 1.4 Any motion (including a motion received on notice) or proposition to add to, vary or revoke these Council Meeting Procedure Rules, shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
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### **2. ARRANGEMENTS FOR COUNCIL MEETINGS**

- 2.1 Consideration and signing of the Minutes.  

The Chairman will sign the Minutes of the proceedings at the next suitable meeting. The only part of the Minutes that can be discussed is their accuracy.
- 2.2 Placards, banners, advertising materials and similar items are not permitted in any Council meeting.
- 2.3 Members of the public may record proceedings and report all public meetings. Oral commentary during meetings is not permitted as this would be disruptive to the good order of the meeting.
- 2.4 Mobile phones must be switched off or to silent mode.
- 2.5 The public may record (eg film, audio, tweet, blog) meetings which are open to the public.
- 2.6 The Chair of the meeting has the discretion to stop or suspend recordings by the public if in their opinion continuing to do so would disrupt proceedings at the meeting. The circumstances in which this might occur include:
  - (a) Excessive noise in recording or setting up and re-setting equipment.
  - (b) Intrusive lighting and use of flash photography.

- (c) Moving to areas outside the area designated for the public without the Chair's consent.
  - (d) Whilst taking a recording (eg film, audio, tweet, blog) you must not do so in a manner which constitutes an invasion of privacy.
- 2.7 Those recording meetings must respect the wish of any member of the public not to be recorded.
- 2.8 Agendas for and signage at meetings will make it clear that recording can take place. Anyone who does not wish to be recorded should let the Chair of the meeting know.
- 2.9 Recording and reporting the meetings is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance; eg with the Human Rights Act, the Data Protection Act and the laws of libel, defamation and public order. Freedom of speech within the law should also be exercised with personal and social responsibility – showing respect and tolerance towards the views of others.
- 2.10 The Council has a protocol in place in respect of recording at meetings which is available on the Council's website.
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### **3. SUMMONS AND AGENDA**

- 3.1 The time and place of meetings will be determined by the Chief Executive and notified in the summons which, at least five clear working days before a meeting will be signed by the Chief Executive and sent to every Member of the Council by electronic mail or sent to his/her usual place of residence and made available to the public in accordance with the Access to Information Rules.
- 3.2 The agenda and papers for meetings of the Council must be available at least five clear working days before the meeting.
- 3.3 The duration of any meeting shall be at the absolute discretion of the Chairman. At any time during the meeting the Chairman may adjourn the meeting.
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## **4. ORDER OF BUSINESS**

### **4.1 Annual Meeting of Council**

This is a statutory order of business and cannot be changed.

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. (Councillors take office on the 4th day after the election). In any other year, the annual meeting will usually take place in May.

The annual meeting will:

- (a) elect a person to preside if the Chairman and Vice Chairman are not present;
- (b) elect the Chairman of Council for the administrative year;
- (c) elect the Vice-Chairman of Council for the administrative year;
- (d) receive apologies;
- (e) receive declarations of interest;
- (f) deal with any item required by statute to be dealt with before any other item;
- (g) approve the Minutes of the last meeting;
- (h) receive any announcements from the Chairman, Leader and/or Head of Paid Service;
- (i) elect a Leader;
- (j) appoint Committees and Sub-Committees as the Council considers appropriate;
- (k) elect Chairmen and Vice-Chairmen of Committees and Sub Committees;
- (l) decide the allocation of seats to Committees and substitutes of political groups in accordance with the political balance rules;
- (m) receive nomination and appoint Councillors to serve on each Committee and outside body/partnership;
- (n) consider any business set out in the notice convening the meeting.

#### 4.2 **Election of Chairman of Council**

The Term of Office of the Chairman of Council shall be for one year with the retiring Chairman and previous Chairmen being eligible for re-election.

#### 4.3 **Removal of Chairman**

At any meeting of the Council a member may propose that “the meeting has no confidence in the Chairman”. The motion shall after debate be put and if carried by a majority of at least two thirds of the members present, the Chairman shall consider his or her position, and report his or her decision to the Council as soon as possible by the next full Council meeting.

#### 4.4 **Holding of Office**

Any member of the Council so appointed to a Committee or other body shall not hold office later than the next Annual Meeting of the Council.

#### 4.5 **Dissolution of Committee**

The Council may at any time dissolve a Committee or alter its Membership.

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### 5. **ORDINARY MEETINGS**

5.1 The following order of business does not have to be followed and can be changed at the Chairman’s discretion before the agenda/summons is sent out or during the meeting itself by a resolution following a motion that has been moved, seconded and put to the meeting without debate.

Ordinary meetings will:

- (a) elect a person to preside if the Chairman and Vice-Chairman are not present.
- (b) receive apologies;
- (c) receive declarations of interest;
- (d) deal with any item required by statute to be dealt with before any other item;
- (e) approve the Minutes of the last meeting;
- (f) receive any announcements from the Chairman, Leader and/or Head of Paid Service;
- (g) receive notification of petitions;
- (h) deal with any business from the last Council meeting;

- (i) consider 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;
  - (j) consider questions from, and provide answers to, Councillors on any matter in relation to which the Council has powers or duties or which affects the District;
  - (k) receive reports about, and receive questions and answers on, the business of joint arrangements and external organisations;
  - (l) receive reports from the Leader and/or when necessary from relevant Portfolio Holders;
  - (m) receive reports from the Chairman of Overview and Scrutiny Committee;
  - (n) consider any other business specified in the summons to the meeting;
  - (o) consider motions received on Notice;
  - (p) consider any changes to Councillor placings on committees.
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## **6. EXTRAORDINARY MEETINGS**

- 6.1 The following may request the Chief Executive to call Council meetings in addition to ordinary meetings:
- (a) the Council by resolution;
  - (b) the Chairman of Council;
  - (c) the Monitoring Officer;
  - (d) the Chief Finance Officer; and
- 6.2 Where at least one-third (rounded up) of members of the Council have signed a requisition presented to the Chairman of Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.
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## **7. STATE OF THE DISTRICT DEBATE**

### **7.1 Calling of State of the District Debate**

The Chairman of Council may call a State of the District debate on a date and in a form to be agreed.

### **7.2 Form of the State of the District Debate**

The Chairman of Council will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity.

### **7.3 Chairing of the State of the District Debate**

The debate will be chaired by the Chairman of Council.

### **7.4 Results of the State of the District Debate**

The results of the debate will be:

- (a) disseminated as widely as possible within the community and to relevant agencies and organisations in the area; and
- (b) considered by the Cabinet in proposing the budget and policy framework to the Council for the coming year.

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## **8. QUORUM**

8.1 The quorum of a meeting will be one quarter of the whole number of Councillors (for the avoidance of doubt this will be rounded up to the next whole number). During any meeting if the Chairman counts the number of Councillors present and declares there is not a quorum present, then the meeting will adjourn immediately.

8.2 Remaining issues will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

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## **9. DURATION OF MEETING AND THE GUILLOTINE**

9.1 Where three hours has elapsed after the commencement of any Council meeting the Chairman shall interrupt the meeting and call for the vote immediately on the item of discussion, any Councillor speaking must immediately sit down. The vote will be taken without further debate.

- 9.2 The Council may decide to extend the meeting or hold an adjourned or special meeting to consider one or more of the items which has not been considered.
- 9.3 Rule 9.1 will not operate to prevent the transaction of any business which must by law be transacted at any meeting which is unopposed or can be dealt with without discussion or to extend the meeting
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## **10. URGENT ITEMS**

- 10.1 No business shall be transacted at a meeting of the Council other than that specified in the agenda except business brought before the meeting as a matter of urgency as certified by the Chairman for specific reasons which are to be included in the Minutes.
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## **11. PETITIONS**

- 11.1 If any petition is submitted to the Chief Executive, either directly or indirectly, relating to the exercise or non-exercise of duties or powers of the Council and signed by at least twenty persons who are resident in the District or who work or study in the District it shall be referred to the next meeting of the Committee or Sub-Committee responsible for the administration of the powers in connection with the subject matter of the petition. In addition the Chief Executive shall report the receipt of such a petition to the next meeting of the Council where there shall be no debate or comment thereon.  
The [petition scheme](#) is available on the Council Website.
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## **12. QUESTIONS BY THE PUBLIC**

### **12.1 General**

Members of the public may ask questions of the Chairman in accordance with the provisions of this rule.

### **12.2 Order of Questions**

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

### 12.3 Notice of Questions

A question may be asked only if notice has been given by delivering it in writing or by electronic mail to the Monitoring Officer no later than midday three clear working days before the day of the meeting. Each question must give the name and address of the questioner and must name the relevant Chairman to whom it is to be put.

### 12.4 Number of Questions

At any one meeting no person may submit more than two questions (plus a supplementary question) and no more than one question (plus a supplementary question) may be asked on behalf of one organisation. The Chairman shall also have the discretion to limit the number of questions received at any one meeting.

### 12.5 Scope of Questions

The Monitoring Officer may reject a question if it:

- (a) is not about a matter for which the Local Authority has a responsibility or which affects the district;
- (b) is defamatory, frivolous, vexatious or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (d) requires the disclosure of confidential or exempt information.
- (e) Relates to a regulatory matter which the relevant committee has determined.

12.6 If the Monitoring officer redirects the question to someone else then he or she will inform the questioner if there is opportunity to do so.

### 12.7 Asking a Question at the Meeting

The Chairman will invite the questioner to put the question to any Councillor who may be named in the question. If a questioner who has submitted a written question is unable to be present, he or she may ask the Chairman to put the question on his/her behalf. The Chairman 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.



### 12.8 **Supplementary Question**

A questioner who has put a question in person may also put one supplementary question without notice to the Councillor who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds in Rule 12.5 above.

### 12.9 **Written Answers**

Any question which cannot be dealt with during the public question time, either because of lack of time or because of the non-attendance of the Councillor to whom it was to be put, will be dealt with by a written answer and be made available on request.

### 12.10 **Reference of Question to a Committee**

Unless the Chairman decides otherwise, no discussion will take place on any question, but any Councillor may move that a matter raised by a question be referred to the appropriate Committee or Sub-Committee.

12.11 The total period allowed for questions and answers from members of the public is 30 minutes and no questions may be asked after this period has elapsed unless the Council resolves to grant an extension.

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## 13. **QUESTIONS BY COUNCILLORS**

### 13.1 **General**

Councillors may ask questions of the Chairman in accordance with any item on the Agenda. These questions can be asked without notice.

### 13.2 **Questions on Notice at Council**

A Councillor may ask up to three questions on any matter in relation to which the Council has powers or duties or which affects the District of:

- (a) the Chairman; or
- (b) the Chairman of any Committee or Sub-Committee
- (c) a Portfolio Holder

provided Rule 13.3 has been followed.

### 13.3 Notice of Questions

A Councillor may only ask a question under this Rule if either:

- (a) he/she has given by noon at least three clear working days' notice in writing or by electronic mail of the question to the Monitoring Officer.
- (b) if the question relates to an urgent matter, then with the consent of the Council Chairman provided that the question is given to the Monitoring Officer by 4 p.m. on the working day prior to the meeting it can be put to Council.

### 13.4 Scope of Questions

The Monitoring Officer may reject a question if it:

- (a) is not about a matter for which the Local Authority has a responsibility or which affects the district;
- (b) is defamatory, frivolous, vexatious or offensive;
- (c) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- (d) requires the disclosure of confidential or exempt information.
- (e) Relates to a regulatory matter which the relevant committee has determined.

13.5 If the Monitoring Officer redirects the question to someone else then he or she will inform the questioner if there is opportunity to do so.

### 13.6 Asking a Question at the Meeting

The Chairman will invite the questioner to put the question to any Councillor who may be named in the question. If a questioner who has submitted a written question is unable to be present, he or she may ask the Chairman to put the question on his/her behalf. The Chairman 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.

### 13.7 Reference of Question to a Committee

Unless the Chairman decides otherwise, no discussion will take place on any question, but any Councillor may move that a matter raised by a question be referred to the appropriate Committee or Sub-Committee.

13.8 The total period allowed for questions and answers from members of the Council is 30 minutes and no questions may be asked after this period has elapsed unless the Council resolves to grant an extension.

### 13.9 Response

An answer may take the form of:

- (a) a direct oral answer given at the meeting;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

### 13.10 Supplementary Question

A Councillor asking a question under Rule 13.2 may ask one supplementary question without notice to the Councillor to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

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## 14. MOTIONS ON NOTICE

### 14.1 Notice

Except for motions which can be moved without notice under Rule 14, written notice of every motion, signed by at least two Councillors, must be delivered or emailed the Monitoring Officer no later than five clear working days (that is not counting either the day of the meeting or the day of receipt) before the date of the meeting.

### 14.2 Motion on Notice

Motions for which notice has been given will be listed on the Council Agenda in the order in which notice was received, unless the Councillor giving notice states, in writing, that he/she proposes to move it to a later meeting or withdraws.

### 14.3 Scope

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

### 14.4 Circumstances when a Motion on Notice will not be accepted

The Monitoring Officer may reject any motion if she/he considers that it:-

- (a) Does not relate to the business of the Council or affect the District.
- (b) Is defamatory, frivolous, vexatious or offensive.

- (c) Is a motion which the Council has no power to pass or which contravenes any provision in these Rules of Procedure.
- (d) A motion to rescind or amend a resolution which has been passed by the Council within the preceding six months.
- (e) Motions to the same effect as any motion which has been rescinded or countermanded within the preceding six months or a motion which the Council has no power to pass or which contravenes any provision in standing orders.

14.5 At the meeting a valid motion on notice must be moved and seconded before any consideration or debate can take place. The Councillor proposing the motion must move and explain the purpose of it. No speeches or debate can take place until the motion has been seconded.

14.6 Any motion on notice which is duly proposed and seconded will be debated by the full Council at the meeting at which it is proposed, unless in the view of the Chairman it would be inappropriate or ultra vires for the full Council to do so. If the motion relates to a function reserved to the full Council the Chairman will also take a vote on the motion at said meeting.

14.7 If the subject matter of any motion in respect of which notice has been duly given is related to an executive function then it shall, upon being duly moved, seconded and debated, stand referred to the Cabinet to take the final decision in respect of the motion. The comments from any debate at full Council about the motion will be reported to the Committee for them to take into account when considering the motion.

14.8 If the subject matter of any motion in respect of which notice has been duly given is related to a function reserved to a Committee then it shall, upon being duly moved, seconded and debated, stand referred to the relevant Committee to take the final decision in respect of the motion. The comments from any debate at full Council about the motion will be reported to the Committee for them to take into account when considering the motion.

14.9 If the motion stands referred to a Committee or Cabinet for decision and the member who moved the original motion is not an ordinary member of the Committee or of Cabinet then he/she shall be invited to attend and address the Committee or Cabinet meeting. A member who is not an ordinary member of a Committee or Cabinet shall not have a vote at the meeting.

#### 14.10 **Alteration of Motion**

A Councillor may alter a motion of which he/she has given notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

14.11 A Councillor may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

14.12 Only alterations which could be made as an amendment may be made.

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## **15. PROPOSITIONS/PROPOSALS AND MOTIONS WITHOUT NOTICE**

15.1 Motions and/or propositions without any notice can be moved and seconded then voted upon at meetings.

The following motion may be moved without notice:

- (a) to appoint a Chairman 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 Councillor 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;
- (i) to proceed to the next business;
- (j) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) to extend the meeting or time for speeches;
- (n) to suspend a particular Council Procedure Rule other than Council Procedure Rules 19.5 (recorded vote) and 2.1. (signed minutes);
- (o) to exclude the public and press in accordance with the Access to Information Rules;

- (p) not to hear further from a Councillor named under Rule 20.3 or to exclude him or her from the meeting under Rule 20.4;
  - (q) to give the consent of the Council where its consent is required by this Constitution;
  - (r) to amend or accept the recommendation contained in a report under consideration by the Council.
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## **16. AMENDMENTS TO PROPOSITIONS/PROPOSALS AND MOTIONS ON NOTICE**

16.1 No amendment to the Motion to adopt the draft budget recommended to the Council may be moved unless notice giving details of the amendment has been given to the Monitoring Officer no later than 12 noon three working days before the meeting

- (a) An amendment to a proposal/motion must be relevant to the proposal/motion and will either be:
  - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
  - (ii) to leave out words;
  - (iii) to leave out words and insert or add others; or
  - (iv) to insert or add wordsas 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 proposal/motion may be moved.
- (d) If an amendment is carried, the proposal/motion as amended takes the place of the original proposal/motion. This becomes the substantive proposal/motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Chairman will read out the amended proposal/motion before accepting any further amendments, or if there are none, put it to the vote.

16.2 If an amendment to a proposal/motion has been moved and seconded, the mover of the original proposal/motion has a right of reply at the close of the debate on the amendment following the mover of the amendment's closing remarks but may not otherwise speak on it.

### 16.3 **Withdrawal of Motion**

A Councillor 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 Councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

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## 17. **RULES OF DEBATE**

17.1 If a Councillor wishes to speak they should indicate their intention by raising their hand.

17.2 The Chairman will decide the order in which speakers will be heard.

17.3 Councillors will stand when speaking and must address the Chairman.

17.4 Speeches must be directed to the subject under discussion or to a personal explanation or point of order. The speech of a proposer of any motion or amendment shall not exceed 5 minutes and no other speech may exceed 3 minutes without the consent of the Chairman.

17.5 When seconding a motion or amendment, a Councillor may reserve his/her speech until later in the debate.

17.6 Unless notice of the motion has already been given, the Chairman may require it to be written down and handed to him/her before it is discussed.

17.7 Councillors may speak once on any motion. However, if a motion is amended Councillors may speak once on each amendment.

17.8 If the motion has been amended since the Councillor last spoke, that Councillor may move a further amendment to the motion.

17.9 The Councillor who moved the original motion has a right of reply at the close of the debate on that motion or any agreed amendment.

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

17.11 A Councillor may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Councillor which may appear to have been misunderstood in the present debate. The ruling of the Chairman on the admissibility of a personal explanation will be final.

#### 17.12 **Bringing Debate to Early Closure**

- (a) A Councillor who has not already spoken in the matter may orally move a motion:
  - (i) To proceed to the next business;
  - (ii) That the question be now put;
  - (iii) To adjourn a debate;
  - (iv) To adjourn a meeting.
- (b) If a motion/proposition to proceed to next business is seconded and the Chairman thinks the item has been sufficiently discussed, he or she will give the mover of the original motion/proposition / a right of reply and then put the procedural motion to the vote.
- (c) If a motion/proposition that the question be now put is seconded and the Chairman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote.
- (d) If it is passed he/she will give the mover of the original motion/proposition a right of reply before putting his/her motion/proposition to the vote.
- (e) If a motion/proposition to adjourn the debate or to adjourn the meeting is seconded and the Chairman 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/proposition the right of reply.

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## 18. PREVIOUS DECISIONS AND MOTIONS

- 18.1 Council decisions are final and should normally not be altered or amended for six months.
- 18.2 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 14 Councillors.



- 18.3 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 14 Councillors. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.
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## **19. VOTING**

### **19.1 Majority**

Unless this Constitution provides otherwise any matter will be decided by a simple majority of those Councillors voting and present in the room at the time the question was put.

### **19.2 Chairman's Casting Vote**

If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote.

### **19.3 Budget Meetings**

Immediately after any vote is taken at a budget decision meeting of the Council the names of Councillors who cast a vote for the decision or against the decision or who abstained from voting shall be recorded in the Minutes of that meeting.

### **19.4 Method of Voting**

- 19.4.1 The primary method of voting at all meetings will be electronic voting.

If electronic voting is not available, the Chairman of the meeting will determine the voting method to be used. This could include, but is not limited to, voting by:

- show of hands,
- roll call, or
- if there is no dissent, affirmation of the meeting.

- 19.4.2 A record of how each Councillor voted during the electronic vote will be published on the Council's website.

- 19.4.3 Neither provision of Rule 19.4 will negate the ability of Councillors to call for a recorded vote under Rule 19.5.

### **19.5 Recorded Vote**

If five Councillors present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and

entered into the Minutes. The recorded vote will not be relevant for the appointment of Councillors.

#### **19.6 Right to Require Individual Vote to be Recorded**

Where any Councillor requests it immediately after the vote is taken, his/her vote will be so recorded in the Minutes to show whether he/she voted for or against the motion or abstained from voting.

#### **19.7 Voting on Appointments**

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

#### **19.8 Ballots**

In the case of the appointment of Councillors only, the vote will take place by ballot if five Councillors present at the meeting demand it. The Chairman will announce the numerical result of the ballot immediately the result is known.

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### **20. COUNCILLORS' CONDUCT**

#### **20.1 Standing to Speak**

When a Councillor speaks at full Council he/she must stand and address the meeting through the Chairman. If more than one Councillor stands, the Chairman will ask one to speak and the others must sit. Other Councillors must remain seated whilst a Councillor is speaking unless they wish to make a point of order or a point of personal explanation.

#### **20.2 Chairman Standing**

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

#### **20.3 Councillor not to be Heard Further**

If a Councillor persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the Councillor be not heard further. If seconded, the motion will be voted on without discussion.

#### **20.4 Councillor to Leave the Meeting**

If the Councillor continues to behave improperly after such a motion is carried, the Chairman may move that either the Councillor leaves the meeting or that the meeting is adjourned for 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 Chairman may adjourn the meeting for as long as he/she thinks necessary.

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### **21. DISTURBANCE BY PUBLIC**

#### **21.1 Removal of Member of the Public**

If a Member of the public interrupts proceedings, the Chairman will warn the person concerned. If he/she continues to interrupt, the Chairman will order his/her 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 Chairman may call for that part to be cleared.

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### **22. APPOINTMENT/DELEGATIONS TO COMMITTEES**

#### **22.1 Delegation of Functions**

The Council shall delegate its functions to such Committees and Sub-Committees as it deems appropriate.

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### **23. RECORD OF ATTENDANCE**

23.1 All Councillors present during the whole or part of a meeting must sign their names on the appropriate attendance record before the conclusion of every meeting to assist with the record of attendance.

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### **24. EXCLUSION OF PUBLIC**

24.1 Members of the public and press may only be excluded either in accordance with the [Access to Information Rules](#) in Part 3 of this Constitution or Rule 21.

24.2 If any question arises at a meeting of the Council as to the appointment, promotion, salary, dismissal, pension entitlement or conditions of service or the conduct of a Council employee, such questions shall not be discussed until the Council has

considered whether or not to exclude the press and public under Part 1 Paragraph 1 of Schedule 12A of the Local Government Act 1972.