

Broxtowe Borough Council Constitution

Document No. 2 – Standing Orders

Contents

STANDING ORDERS

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 on the second Wednesday following the first Thursday in May. In any other year, the annual meeting will take place in the month of May.

The annual meeting will:

- 1.1.1 elect a person to preside if the Mayor and Deputy Mayor of the Council are not present;
- 1.1.2 elect the Mayor of the Council;
- 1.1.3 appoint the Deputy Mayor of the Council;
- 1.1.4 approve the minutes of the last meeting;
- 1.1.5 receive any announcements from the Mayor;
- 1.1.6 note the Leader of the Council, the Leader of the Opposition and the Leader of any other group;
- 1.1.7 appoint the committees the Council considers appropriate to deal with matters which are not reserved to the Council (as set out later in this Constitution);
- 1.1.8 agree the scheme of delegations or such part of it as the Constitution determines it is for the Council to agree (as set out later in this Constitution);
- 1.1.9 consider any business set out in the notice convening the meeting.

1.2 Selection of Councillors on Committees and Outside Bodies

At the annual meeting, the Council meeting will:

- 1.2.1 decide the allocation of seats to political groups in accordance with the political balance rules;
- 1.2.2 make appointments to outside bodies except where appointment to those bodies has been delegated by the Council;
- 1.2.3 appoint the Chairs and Vice-Chairs of committees;
- 1.2.4

note that either the Leader of the Council or another Councillor being their nominated representative, and either the Leader of the Opposition or another councillor being their nominated representative, have the right to attend any of the Council's committees and to speak and vote thereat provided that such nominated representatives may not be in attendance at the same meeting as their respective Leaders.

2 **Ordinary Meetings**

Ordinary meetings of the Council will take place in accordance with a programme decided at a previous meeting. The order of business at ordinary meetings will be as follows:

- 2.1 elect a person to preside if the Mayor and Deputy Mayor are not present;
- 2.2 approve the minutes of the last meeting;
- 2.3 receive any declarations of interest from members;
- 2.4 receive any announcements from the Mayor;
- 2.5 receive a report from the Leader and receive questions and answers on the report if any;
- 2.6 receive questions from, and provide answers to, the public in relation to matters which in the opinion of the Chief Executive are relevant to the Council's functions (subject to 8.5);
- 2.7 business which, in the opinion of the Mayor or Chair, should be considered at the meeting as a matter of urgency;
- 2.8 receive petitions in relation to matters which in the opinion of the Chief Executive are relevant to the Council's functions;

- 2.9 receive items referred from the Council's committees or questions from members on the business of the committees (other than those provided under Rule 10 but subject to the time constraints contained in Rule 10);
- 2.10 consider any other business specified in the summons to the meeting;
- 2.11 consider motions;
- 2.12 receive a presentation from the Youth Mayor (and/or the Deputy Youth Mayor), by invitation, for up to five minutes on the activities of Broxtowe Youth Voice (the Youth Mayor and/or the Deputy Youth Mayor will have the right to speak, but not to vote, on any item on the agenda at a full Council meeting whether annual or ordinary with the rules on speaking being as per these Standing Orders);
- 2.13 receive questions from councillors to those representing the Council on outside bodies;
- 2.14 deal with questions from councillors in accordance with Rule 10.
- 2.15 approve a programme of ordinary meetings of the Council and committees for the year at an appropriate time. The Council meeting to consider the budget shall be limited to only that substantive item unless by agreement of the Mayor.
- 2.16 approve amendments to the membership of committees;

3 **Extraordinary Meetings**

3.1 Calling extraordinary meetings

The Chief Executive or in their absence, the Deputy Chief Executive may call Council meetings in addition to ordinary meetings and those listed below may request the Chief Executive or in their absence, the Deputy Chief Executive to call additional Council meetings:

- 3.1.1 the Council by resolution;
- 3.1.2 the Mayor of the Council;
- 3.1.3 any five members of the Council if they have signed a requisition presented to the Mayor of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven clear working days of the presentation of the requisition;
- 3.1.4 the Head of Paid Service, the Section 151 Officer or the Monitoring Officer, respectively, in the exercise of their statutory duties

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 may at their absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business within the provisions of the law.

4 Time, Place and Duration of Meetings

4.1 Time and Place of Meetings

The time and place of meetings will be determined by the Chief Executive and notified in the summons.

4.2 Duration of Meetings

4.2.1 At an ordinary meeting of the Council, when two hours have elapsed after the commencement of the meeting, or where an item of business considered as opposition priority business has been considered for not less than half an hour, whichever is later, a member of the Council may move without comment, that the meeting shall end at a time to be specified in the motion. The Mayor shall, at the conclusion of the debate on the item of business then under consideration, put the matter to the vote.

4.2.2 If there are other motions or recommendations on the agenda that remain to be dealt with, and require decisions, they will be deferred to the next meeting

4.2.3 During the process set out in paragraphs 4.2.1 and 4.2.2 above the only other motions which may be moved are that a matter be withdrawn or deferred under Rule **Error! Reference source not found.**, that a particular Rule be suspended under Rule 21.1 or that a matter be delegated to a committee or sub-committee for decision or report under Rule 8.10.

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

5 Notice of and Summons to Meetings

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules. At least five clear working days before a meeting, the Chief Executive will send a summons signed by him/her to every member of the Council. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

6 **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.

7 **Quorum**

The quorum of a meeting will be one quarter of the whole number of councillors. During any meeting if 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/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

8 **Questions by the Public**

8.1 General

Members of the public who are residents of the borough or run a business in the borough may ask one question of the Chair of a committee at ordinary meetings of the Council.

The total time allocated for questions by the public is limited to 15 minutes in total and no more than 5 minutes per question.

8.2 Order of questions

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

8.3 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 Chief Executive no later than midday three working days before the day of the meeting. Each question must give the name and address of the questioner.

8.4 Number of questions

At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.

8.5 Scope of questions

The Chief Executive may reject a question if it:

8.5.1 is not about a matter for which the Council has a responsibility or which affects the Borough;

- 8.5.2 is defamatory, frivolous or offensive;
- 8.5.3 is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- 8.5.4 requires the disclosure of confidential or exempt information.

8.6 Record of questions

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

8.7 Asking the question at the meeting

The Mayor will invite the questioner to put the question to the councillor named in the notice. 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.

8.8 Supplementary question

There will be no right for a member of the public to put a supplementary question.

8.9 Written answers

Subject to the provisions of paragraph 8.7, any question which cannot be dealt with during 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.

8.10 Reference of question to a committee

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.

9 **Petitions from the Public**

9.1 Notice of Petition

If a resident of the borough or someone running a business in the borough wishes to present a petition to a Council meeting, notice must be given at least 7 working days before the meeting and the petition must have over 1,000 signatures (the signatories must either be resident of the borough or someone running a business in the borough). Otherwise a petition must be presented through a councillor.

9.2 Presentation of petitions

- 9.2.1 The petition organiser, or councillor, will be allowed to present the petition at the meeting. Only one person may speak to present a petition and any such presentation shall be limited to those words heading the presentation.. There will be no more than two petitions at any Council meeting.
- 9.2.2 The Council will then debate the petition for a maximum of 15 minutes at the next Council meeting, unless the Mayor decides that urgent circumstances warrant an immediate debate
- 9.2.3 The Mayor will call upon the Chair of the Committee within whose remit the subject of the petition falls to make a proposal at the next meeting in respect of the petition Such a proposal shall be to::
- (a) take the action the petition requests;
 - (b) not to take the action requested;
 - (c) or commission further investigation into the matter by the relevant Committee;
 - (d) The proposal shall be put to the vote.
 - (e) The petition organiser will receive written confirmation of this decision which will also be published on the Council's website.

9.3 Number of Petitions

At any one meeting no person or organisation may present more than one petition.

9.4 Scope of Petitions

The Chief Executive may reject a petition if it:

- 9.4.1 is vexatious, abusive or otherwise inappropriate;
- 9.4.2 relates to a planning decision;
- 9.4.3 relates to a licensing decision;
- 9.4.4 relates to any other matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
- 9.4.5 requires the disclosure of confidential or exempt information;

9.4.6 is outside of the Council's scope of business.

10 **Questions by Members and Ward Matters**

10.1 Questions on notice at full Council

10.1.1 Subject to Rule 10.2, a member of the Council may ask:

- (a) the Mayor;
- (b) the Leader;
- (c) the chair of any committee or sub-committee,

a question on any matter in relation to which the Council has powers or duties or which affects the Borough or in the case of (c) falls within the terms of reference of that committee or sub-committee..

10.1.2 Not used

10.1.3 The total time permitted for members' questions and ward matters will be 1 hour;

10.2 Notice of questions

A member may ask a question under Rule 10.1 if:

10.2.1 they have given notice of the question in writing or by electronic mail no later than midday three clear working days before the day of the meeting to the Chief Executive; or

10.2.2 if the question relates to urgent matters, they have the consent of the Mayor or member to whom the question is to be put and the content of the question is given to the Chief Executive by 12 noon on the day of the meeting; or

10.3 10.3 One question per member

A member may ask only one question under Rule 10.1 except with the consent of the Mayor of the Council, or the Chair [or Vice Chair] of a Committee or Sub-Committee other than under rule 10.8.

10.4 Order of questions

Questions of which notice has been given under Rule 10.1 will be listed on the agenda in the order determined by the Mayor of the Council.

10.5 Content of questions

Questions under Rule 10.1 must, in the opinion of the Mayor relate to matters on which the Council has or may determine a policy.

10.6 Response

An answer may take the form of:

- 10.6.1 a direct oral answer at the meeting;
- 10.6.2 where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- 10.6.3 where the reply cannot conveniently be given orally, a written answer shall be delivered within 10 working days .

10.7 Supplementary question

A member asking a question under Rule 10.1 may ask one supplementary question without notice of the member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

10.8 Length of speeches

A member asking a question under Rule 10.1 and a member answering such a question may speak for no longer than five minutes unless the Mayor consents to a longer period.

10.9 Ward matters

- 10.9.1 A member may speak on ward matters if either:
 - (a) they have given notice in writing no later than midday three working days before the day of the meeting to the Chief Executive and 'or
 - (b) the ward matter relates to urgent matters, they have the consent of the Mayor and the content of the ward matter is given to the Chief Executive by 12 noon on the day of the meeting.
- 10.9.2 A Member may make only one speech on ward matters except with the consent of the Mayor of the Council.
- 10.9.3 Speeches on ward matters of which notice has been given under Rule 10.9 will be listed on the agenda in the order determined by the Mayor of the Council.

10.10 Length of speeches

A member speaking on ward matters may speak for no longer than five minutes and the total time allotted to ward matters in any one meeting

shall not exceed 30 minutes unless the Mayor consents to a longer period.

11 **Motions on Notice**

11.1 Notice

Except for motions which can be moved without notice under Rule 12, written notice of every motion, must be delivered to the Chief Executive not later than 5.00pm on the seventh working day before the Council meeting at which it is to be considered. Motions received will be recorded and open to public inspection.

11.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda in the order determined by the Mayor.

11.3 Scope

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

11.4 One motion per member

No member may give notice of more than one motion for any Council meeting, except with the consent of the Mayor.

11.5 Time Allowed for Motions

The time allowed for consideration of motions submitted under this Rule shall not, without the consent of the Council, exceed 30 minutes although the Mayor, at his or her discretion, may make available for debates on motions, any time not used from the one hour allocation for Questions by Members and Ward Matters under Standing Order 10. At the conclusion of the speech being delivered at the expiry of 30 minutes (or such longer period to which the Council has consented) from the commencement of the Council's consideration of the first such motion, the Mayor shall put to the vote, without further discussion, all the questions necessary to dispose of the motion then under debate provided that:

11.5.1 if the speech to be concluded is a speech proposing a motion, the Mayor shall allow the motion to be formally seconded (without comment);

11.5.2 if the speech to be concluded is a speech moving an amendment to the motion, the Mayor shall allow the amendment to be formally seconded (without comment) and the mover of the motion to exercise their right of reply; and

- 11.5.3 otherwise, the Mayor shall allow the mover of the motion to exercise their right of reply.

Any remaining motions submitted under this Rule shall be deferred to the next ordinary meeting of the Council and shall be dealt with at that meeting in the same order and before any other motions of which notice is given for that meeting.

12 **Motions without Notice**

The following motions may be moved without notice:

- 12.1 to appoint a Chair of the meeting at which the motion is moved;
- 12.2 in relation to the accuracy of the minutes;
- 12.3 to change the order of business in the agenda;
- 12.4 to refer something to an appropriate body or individual;
- 12.5 to appoint a committee or member arising from an item on the summons for the meeting;
- 12.6 to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- 12.7 to withdraw a motion;
- 12.8 to amend a motion;
- 12.9 to proceed to the next business;
- 12.10 that the question be now put;
- 12.11 to adjourn a debate;
- 12.12 to adjourn a meeting;
- 12.13 to suspend a particular Standing Order;
- 12.14 to exclude the public and press in accordance with the Access to Information Procedure Rules;
- 12.15 to not hear further a member named under Rule 19.3 or to exclude them from the meeting under Rule 19.4; and
- 12.16 to give the consent of the Council where its consent is required by this Constitution.

13 **Rules of Debate**

- 13.1 No speeches until confirmation of seconder

Before commencing their speech supporting their motion, the mover of a motion shall indicate to the Mayor which Councillor is to second the motion, and that Councillor will confirm this to the Mayor, following which the mover will commence their speech. If that Councillor does not confirm this, then the Mayor will ask if any other Councillor will second the motion. If a Councillor confirms this, then the mover can commence their speech. If not the Mayor will rule that the motion fails. No speeches may be made until after the motion has a confirmed seconder.

13.2 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/her before it is discussed.

13.3 Seconder's speech

When seconding a motion or amendment, a Councillor may reserve their speech until later in the debate.

13.4 Content and length of speeches

13.4.1 Speeches must be directed to the question under discussion or to a personal explanation or point of order.

13.4.2 A speech by the mover of a motion may not exceed five minutes without the consent of the Major

13.4.3 The time limit does not apply to speeches by officers in presenting reports or advising the Council on any matter.

13.4.4 Immediately following the seconder speaking on a motion or reserving their right to speak until later in the debate, the Mayor shall ask the leader of the main opposition group to speak on the motion, or nominate a councillor to speak next on the motion. A speech under this section may not exceed 5 minutes without the consent of the Major

13.5 When a Councillor may speak again

A Councillor who has spoken on a motion may not speak again whilst it is the subject of debate, except:

13.5.1 to speak once on an amendment moved by another Councillor;

13.5.2 to move a further amendment if the motion has been amended since he/she last spoke;

- 13.5.3 if his/her first speech was on an amendment moved by another Councillor, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
 - 13.5.4 in exercise of a right of reply;
 - 13.5.5 on a point of order; and
 - 13.5.6 by way of personal explanation.
- 13.6 Amendments to motions
- 13.6.1 An amendment to a motion must be relevant to the motion and will either be:
 - (a) to refer the matter to an appropriate body or individual for consideration or reconsideration
 - (b) to leave out words
 - (c) to leave out words and insert or add others; or
 - (d) to insert or add words,as long as the effect of (b) to (d) is not to negate the motion.
 - 13.6.2 Subject to (13.6.6) below, 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.
 - 13.6.3 If an amendment is not carried, other amendments to the original motion may be moved.
 - 13.6.4 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion upon which further speakers may be invited and to which any further amendments are moved.
 - 13.6.5 After an amendment has been carried, the Mayor will read out the amended motion before inviting any further speakers upon it as the substantive motion or accepting any further amendments to it, or if there are none, and after the right to reply has been offered put it to the vote.
 - 13.6.6 The Mayor may determine on the presentation of a report and recommendation being proposed and seconded, that the motions and any subsequent amendments would be debated together. In this case, at the conclusion of the debate, the amendments will be voted on separately in the order in which they were proposed.

13.6.7 Before any speeches on an amendment that has been proposed, the Mayor shall ask the mover and seconder of the original motion or substantive motion whether they are prepared to accept the amendment. If they are, the amendment will be treated as an alteration under Standing Order 13.7. If they are not, then the amendment will be debated.

13.7 Alteration of motion

13.7.1 A Councillor may alter a motion of which he/she has given notice in accordance with Standing Order 11 with the consent of the meeting. The meeting's consent may be signified without discussion.

13.7.2 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 may be signified without discussion.

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

13.8 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 may be signified without discussion. No Councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

13.9 Rights of reply

13.9.1 At close of a main motion (i.e. un-amended) debate:

(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.

13.9.2 At close of an amendment debate:

(a) 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;

(b) the mover of the amendment shall also have the right of reply at the close of the debate immediately prior to the closing speech by the mover of the original motion.

13.9.3 At close of substantive motion (i.e. after an amendment to a main motion has been carried) debate:

- (a) the mover of the successful amendment shall have a right of reply at the end of any debate on the substantive motion.

13.10 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- 13.10.1 to withdraw a motion;
- 13.10.2 to amend a motion;
- 13.10.3 to proceed to the next business;
- 13.10.4 that the question be now put to the vote;
- 13.10.5 to adjourn a debate;
- 13.10.6 to adjourn a meeting;
- 13.10.7 to extend the length of the meeting;
- 13.10.8 to exclude the public and press in accordance with the Access to Information Procedure Rule; and
- 13.10.9 to not hear further a Councillor named under Standing Order 19.3 or to exclude them from the meeting under Standing Order 19.4.

13.11 Closure motions

- 13.11.1 A Councillor may move, without comment, the following motions at the end of a speech of another Councillor:
 - (a) to proceed to the next business;
 - (b) that the question be now put;
 - (c) to adjourn a debate; or
 - (d) to adjourn a meeting.
- 13.11.2 If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, he/she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- 13.11.3 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.

13.11.4 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 give the mover of the original motion or an amendment, or a substantive motion (as the case may be) a right of reply and then put the procedural motion to the vote.

13.12 Point of order

A Councillor 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 Standing Orders or the law. The Councillor must indicate the order 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.

13.13 Personal explanation

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 Mayor on the admissibility of a personal explanation will be final.

14 **Previous Decisions and Motions**

14.1 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 ten members or in the case of a committee, 25 % of the committee's membership

14.2 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 ten members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

15 **Voting**

15.1 Majority

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

15.2 Mayor's casting vote

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

15.3 Method of voting

Unless a recorded vote is demanded under Rule 15.4 the Mayor will take the vote by show of hands or, if there is no dissent, by the affirmation of the meeting.

15.4 Recorded vote

If, before a vote is taken on any motion or recommendation, five members present at the meeting request the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. Unless in the case of Committees where a request by two members present will be sufficient to require a recorded vote to be taken

15.5 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 they voted for or against the motion or abstained from voting.

15.6 Recorded votes at budget meetings

A recorded vote is required when members take formal decisions about expenditure on local services and council tax levels for the year ahead.

15.7 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.

16 **Minutes**

16.1 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.

16.2 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 relating to signing of minutes.

16.3 Form of minutes

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

17 **Record of Attendance**

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

18 **Exclusion of Public**

Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in this Constitution or Rule 20 (Disturbance by Public).

19 **Members' Conduct**

19.1 Speaking at meetings

When a Member speaks at full Council he/she must address the meeting through the Mayor. If more than one member signifies their intention to speak, the Mayor will ask one to speak. Other Members must remain silent whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

19.2 Mayor speaking

When the Mayor speaks during a debate, any member speaking at the time must stop.

19.3 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.

19.4 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 the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

19.5 General disturbance

If there is a general disturbance making orderly business impossible, the Mayor may adjourn the meeting for as long as he/she thinks necessary.

20 **Disturbance by Public**

20.1 Removal of member of the public

If a member of the public interrupts proceedings, the Mayor will warn the person concerned. If they continue to interrupt, the Mayor will order their removal from the meeting room.

20.2 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.

21 **Suspension and Amendment of Standing Orders**

21.1 Suspension

The following 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 : Standing Orders 4.2, 8 to 14. Suspension can only be for the duration of the meeting.

21.2 Amendment

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

22 **Application to Committees and Sub-Committees**

All of the Standing Orders apply to meetings of full Council. Only Standing Orders 4 - 7, 10 - 21 apply to meetings of Committees and Sub-Committees (with 'Mayor' being read as 'Chairperson' and 'Council meeting' being read as the last meeting of the relevant Committee or Sub-Committee). .

23 **Appointment of Substitute Members on Council Bodies**

23.1 Subject to any other restrictions elsewhere in the Constitution, any Member of the Council will be permitted to act as a substitute on a committee or subcommittee of the Council, subject to meeting the training requirements.

23.2 The Monitoring Officer may consider a request from a Member of a committee or subcommittee of the Council to appoint a substitute Member, providing that substitute Member is from the same political group.

- 23.3 In order to be eligible to sit as substitutes on regulatory or quasi-judicial Committees or Standards issues or panels or staff appointments or disciplinary bodies established by the Council, Members must have received formal training in relevant procedures and the law.
- 23.4 Substitute Members will have all the powers and duties of any ordinary Member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.
- 23.5 Substitute Members may attend meetings in that capacity only:
- 23.5.1 to take the place of the ordinary Member for whom they are designated substitute;
 - 23.5.2 where the ordinary Member will be absent for the whole of the meeting;
 - 23.5.3 if there are named substitutes, then the substitute must be a named substitute
- 23.6 The relevant committee or subcommittee of the Council must be notified of the substitute prior to the commencement of the meeting of the relevant committee or subcommittee of the Council.

24 **Emergency powers**

In consultation with the Leader of the Council, the Chief Executive has the power to authorise the taking or carrying out of action, notwithstanding anything in the Council's Standing Orders, Financial Regulations all other delegations, where he/she considers that circumstances exist that make it expedient or necessary for action to be taken prior to the time when such action could be approved through the normal Council procedures. A report on such action, and the circumstances justifying the exercise of the delegated powers, shall be made to the next meeting of the Council as appropriate.

25 **Sealing**

- 25.1 The common seal of the Council shall be kept in a safe place in the custody of the legal team.
- 25.2 The common seal of the Council shall only be affixed to a document on the authority of a proper officer, as determined in the Proper Officer Functions delegation or otherwise on the authority of the Council, a Committee or other officer with delegated authority to commit the Council to enter into an instrument to which the Council's seal should be affixed.
- 25.3 An entry of every sealing of a document shall be made, and numbered consecutively, in a book kept for that purpose by the Monitoring Officer, and shall identify the persons who shall have attested the seal and the date when the seal was affixed. The seal may be witnessed and attested by any employee or member of the Council.

26 **Election of Members and Resignation of Offices by Members**

- 26.1 The regular election of members will be held on the first Thursday in May every four years beginning in 2015. The terms of office of members will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.
- 26.2 For the purpose of clarity, if the Mayor, or the Deputy Mayor, wish to resign their offices (under sub-sections (2) of sections 3 and 5 of the Local Government Act 1972 respectively) and continue as ordinary members of the Council, they shall do so in writing, and such resignation shall be delivered to the Chief Executive and shall be accepted by the Council as operative from the moment when it was delivered to the Chief Executive.
- 26.3 If the Leader of the Council, the Deputy Leader of the Council, the Leader or Deputy Leader of any political group or the Chair or Vice-Chair of a committee wishes to resign their office they should do so in writing following the procedure in Standing Order 26.2 above and the Deputy Leader of the Council shall, at the same time as delivering to the Chief Executive a written communication as to his resignation, deliver a communication in similar terms to the Leader of the Council.

Any resignation shall be reported to the next meeting of the Council, or the committee concerned and successors shall be appointed (in the case of the Leader by the Council or the chair of a committee as soon as practicable).

27 **Filming, videoing, photography and audio recording**

- 27.1 The filming and recording of public meetings of the Council is allowed, however it is required to be in accordance with the filming, videoing, photography and audio recording policy (as amended from time to time)