

## **COUNCIL STANDING ORDERS**

These Standing Orders are the rules which apply to meetings of the Council and should be read in conjunction with the Access to Information Procedure Rules and the Budget and Policy Framework Procedure Rules

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

- 1.1 Meetings of the Council will normally take place at 7.30pm in the Council Chamber at the Council Offices, Knowle Green, Staines unless otherwise notified by the proper officer in the summons to the meeting.

### **2. NOTICE OF MEETINGS**

- 2.1 The Chief Executive will notify the public of the time and place of any meeting in accordance with the Access to Information Rules. Five clear working days before a meeting, (unless the law requires the business to be transacted by a particular date) the Chief Executive will send a summons to every councillor giving the date, time and place of the meeting and specifying the business to be transacted, and include any reports which are available.
- 2.2 The Chief Executive may cancel a meeting of the Council, its Committees, or the Cabinet where the agenda has already been issued if it is considered expedient to do so. The Chief Executive shall not exercise such power without prior consultation with the Mayor, the Leader or the Committee Chairman (as appropriate). Any outstanding business will be held over to the next scheduled meeting on a date to be arranged.

### **3. CHAIRING OF MEETINGS**

- 3.1 The Mayor, if present, will chair the meeting. If the Mayor is absent the Deputy Mayor will take the chair. If both the Mayor and Deputy Mayor are absent, the councillors present will elect any past Mayor present to take the Chair for the meeting.

### **4. QUORUM**

- (a) The quorum of the Council is one quarter of the total number of councillors (and in the case of Cabinet shall be 5 members) and no business shall be considered unless a quorum is present.
- (b) If there is no quorum present at the time set for the start of a meeting, the start will be delayed for 30 minutes and if a quorum is still not present the meeting will stand adjourned to another day;
- (c) If, during the meeting, the Mayor declares that there is no quorum, the meeting will adjourn immediately;
- (d) Any business remaining shall be dealt with on a date and time fixed by the Mayor or if a date and time is not found, at the next ordinary meeting of the Council.

## **5. DURATION OF MEETING**

- 5.1 The Chief Executive or his representative at any Council meeting will indicate to the councillors present when any meeting has lasted for 3 hours. Unless the majority of councillors present then agree that the meeting should continue, it will automatically be adjourned. Any business not considered will be considered at a time and date fixed by the Mayor. If the Mayor does not fix a date the remaining business will be considered at the next ordinary meeting.

## **6. ORDINARY MEETINGS**

- 6.1 Ordinary meetings of the Council will take place in accordance with a programme decided at, or before, the Council's annual meeting or as otherwise agreed from time to time by the Council.
- 6.2 The Council will sing the National Anthem, led by the Mayor, at the commencement of proceedings, or at such point in the proceedings as the Mayor may otherwise direct.
- 6.3 The agenda at an ordinary Council meeting will normally be to:-
- (a) Elect a person to preside if neither the Mayor or Deputy Mayor are present; (see Standing Order 3.1)
  - (b) Receive any apologies for absence;
  - (c) Approve the minutes of the last meeting;
  - (d) Receive any declarations of interest from councillors;
  - (e) Receive any announcements from the Mayor, Leader, or the Chief Executive;
  - (f) Receive questions from members of the public and hear the Leader or other appropriate councillor provide answers;
  - (g) Receive petitions; (See Standing Order 16)
  - (h) Deal with any business from the last Council meeting;
  - (i) Deal with recommendations from the Cabinet and the Council's committees and in doing so consider any representations by members of the public under the Access to Information Procedure Rules.
  - (j) Receive reports from the Leader and the Chairmen of the Council's Committees and their answers to any questions raised by councillors on any of those reports;
  - (k) Receive reports about and hear questions and answers on the business of joint arrangements and external organisations;
  - (l) Consider motions;
  - (m) Hear the Leader or his nominee answer any questions asked by councillors on issues in their Ward;
  - (n) Hear the Leader or his nominee or appropriate committee Chairman answer any questions from councillors on matters

generally affecting the Borough or for which their committee has responsibility; and

- (o) Consider any other business specified in the summons to the meeting.

## **7. EXTRAORDINARY MEETINGS**

### **7.1 Calling Extraordinary Meetings**

Those listed below may request the Chief Executive to call Council meetings in addition to ordinary meetings of the Council:

- (a) The Council by resolution;
- (b) The Mayor;
- (c) The Monitoring Officer; and
- (d) Any five councillors if they have signed a requisition presented to the Mayor and the Mayor has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

### **7.2 Business**

The business at an extraordinary meeting will normally be confined to consideration of the specific issue for which it was called.

## **8. ANNUAL MEETING**

### **8.1 Timing and business**

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. At such a meeting, the Council will elect a Leader of the Council for a term of office of four years, to expire on the day of the Annual Council Meeting in the year of the next Election.. If there should be a vacancy in the position of Leader of the Council, the Council shall, at its next ordinary meeting, appoint another Leader of the Council.

In any other year, the annual meeting will take place in May.

- 8.2 The Council will sing the National Anthem, led by the Mayor, at the commencement of proceedings, or at such point in the proceedings as the Mayor may otherwise direct.

The Annual meeting will:

- (a) Elect a person to preside if the Mayor is not present;
- (b) Elect a councillor to be the Mayor of the Council;
- (c) Elect a councillor to be Deputy Mayor of the Council;
- (d) Approve the minutes of the last ordinary meeting;
- (e) Receive any declarations of interest;
- (f) Receive announcements from the Mayor;

- (g) Elect a councillor to be the Leader of the Council for a term of office of four years;
- (h) Receive announcements from the Leader about the number of seats on Cabinet and the portfolios for each Cabinet Member;
- (i) Receive announcements from the Leader about appointments to Cabinet;
- (j) Appoint at least one Overview and Scrutiny Committee, a Members' Code of Committee and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions;
- (k) Approve a programme of ordinary meetings of the Council for the year if one has not previously been agreed; and
- (l) Consider any business set out in the notice convening the meeting.

### 8.3 **Selection of Councillors on Committees and Outside Bodies**

At the Annual meeting, the Council meeting will:

- (a) Decide which committees to establish for the municipal year;
- (b) Decide the size and terms of reference for those committees;
- (c) Decide the allocation of seats to political groups in accordance with the political balance rules;
- (d) Receive nominations of councillors to serve on each committee and outside body;
- (e) Appoint to those committees, subject to the provisos that:
  - (i) not more than two councillors appointed to the Cabinet shall be appointed as members of the Licensing Committee or Planning Committee, respectively;
  - (ii) not more than three councillors appointed to the Overview and Scrutiny Committee shall be appointed members of the Audit Committee;
  - (iii) the Chairman of the Audit Committee should not be a member of the Cabinet;
  - (iv) the Mayor shall not be appointed a member of any committee and the deputy Mayor may not be a member of the Cabinet; and
  - (v) one member only of the Cabinet shall be appointed a member of the Members' Code of Conduct Committee.
- (f) Appoint to outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Leader (the Leader's appointment to be on a non-political basis and based upon individual Councillors' skills).

## **9. MINUTES**

### **9.1 Signing The Minutes**

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

### **9.2 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.

### **9.3 Form of Minutes**

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

## **10. DECLARATIONS OF INTEREST**

10.1 Where in relation to an item on the agenda, a councillor has a **Disclosable Pecuniary Interest**, that interest should be declared at the start of the meeting by giving full details of the interest and the item to which it relates. The councillor must thereafter leave the room when that matter falls to be discussed and take no part in the debate or the vote for that business.

10.2 Where in relation to an item on the agenda, a councillor has

(a) a **Non-Pecuniary interest** arising under paragraphs 15 and 16 of the Code of Conduct for Councillors and Co-opted Members (the "Members' Code of Conduct") (membership of outside bodies etc.), or,

(b) any other **Conflict of Interest**;

then such interest should be declared at the start of the meeting by giving full details of the interest and the item to which it relates. A councillor is not required to leave the room when the item is debated but may do so if, in the opinion of the councillor concerned, it is advisable in all the circumstances of the case. A councillor with such an interest, who has remained for the debate, is entitled to speak and vote on the matter to which it relates.

## **11. RECOMMENDATIONS FROM THE LEADER, CABINET AND COMMITTEES**

11.1 The adoption of recommendations of the Cabinet or a Committee to the Council shall be moved by the Leader or appropriate Committee Chairman (or in their absence, by any other councillor called upon by the Mayor so to move) and seconded.

- 11.2 When moving a recommendation, the Leader or the Chairman or other mover may briefly address the Council. (See Standing Order 18.4 for content and length of speeches)
- 11.3 Each recommendation shall be considered individually and the normal rules of debate shall apply.

## **12. STATEMENTS BY MEMBERS OF THE PUBLIC**

- 12.1 Any member of the public interested in a particular recommendation being considered at a Council meeting shall be entitled to make a short statement to the Council expressing their views on it after the recommendation is moved and seconded but before it is debated and a decision on it is taken. The statement must not last longer than 3 minutes. Any person wishing to make such a statement must give notice in writing to the Chief Executive of their wish to do so and must also submit their statement in writing with that notice. Details to be given to the Chief Executive to include name, address and a copy of the written statement submission by 12 noon five clear working days prior to the day of the Council meeting will include the person's name, address and a copy of the written statement.
- 12.2 Provided they are of a reasonable length, statements in relation to recommendations will be circulated to all councillors and considered when the item is debated.
- 12.3 The statement will be referred to the Leader of the Council, the relevant Cabinet Member or Chairman to respond.

## **13. RECEIVING REPORTS FROM THE LEADER AND CHAIRMEN OF COMMITTEES**

- 13.1 The reports of the Leader and Chairmen of Committees will, except in cases of urgency, be included in the Council Agenda for the meeting.
- 13.2 The Leader and Committee Chairmen will move their reports and may make a statement in introducing either the report as a whole or any particular part of it.
- 13.3 Motions for the reception of a report need not be seconded.
- 13.4 Amendments to the motion for the reception of the report will not be allowed.
- 13.5 After a report has been received the Mayor will call each subject heading, paragraph or page as he/she considers appropriate.
- 13.6 When a heading, paragraph or page is called, a councillor may without notice ask questions to obtain explanation of or information about the subject matter of the report.
- 13.7 Any councillor may comment on a matter referred to in a report.

## **14. PUBLIC QUESTION TIME**

### **14.1 General**

Meetings of the Council will allow for a period not exceeding 30 minutes during which time members of the public may ask the Leader

or his nominee questions relating to matters over which the Council has powers or duties or which affect the Borough.

#### **14.2 Order of Questions**

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

#### **14.3 Notice of Questions**

A question may only be asked if notice has been given by delivering the question in writing to the Chief Executive no later than 12 noon five working days prior to the day of the Council meeting. Each question must give the name and address of the questioner and indicate the councillor to whom it is to be put.

#### **14.4 Scope of Questions**

The Chief Executive may reject a question if it:

- (a) Is not about a matter for which the Council has a responsibility or which affects the Borough;
- (b) Is defamatory, frivolous or offensive; or
- (c) Requires the disclosure of confidential or exempt information.

#### **14.5 Record of Questions**

The Chief Executive will keep a record of each question and will, on receipt, send a copy of the question to the Leader of the Council.. Rejected questions will include reasons for rejection.

Questions and the answers given will be recorded in the minutes of the meeting.

#### **14.6 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.

#### **14.7 Supplementary Question**

No supplementary questions will be allowed.

#### **14.8 Written Answers**

Any question which cannot be dealt with during public question time, either due to lack of time, or the non-attendance of the councillor to whom it was to be put, or because not all the information was available, will be dealt with by a written answer.

#### **14.9 Reference of Question to the Cabinet**

Unless the Mayor 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 Cabinet or appropriate Committee or Sub Committee. Once seconded, such a motion will be voted on without discussion.

## **15. QUESTIONS BY COUNCILLORS**

### **15.1 General**

Provided that the Chief Executive has received a copy of the question to be asked before 12 noon five working days prior to the day of the Council meeting, a councillor may at any ordinary Council meeting

- (a) ask the Leader, his nominee or a member of the Cabinet about an issue in the councillor's ward;
- (b) ask the Leader, his nominee or a member of the Cabinet about some issue in which the Council has powers or duties or which affects the Borough; or
- (c) ask the Chairman of a Committee about something for which their Committee has responsibility.

### **15.2 Procedure on Questions**

Subject to Standing Order 15.3, every question shall be put and answered without discussion, but the councillor putting the question may ask one supplementary question.

The supplementary question must be one which either directly arises out of the answer given or is required to clarify some part of the answer.

The person to whom any question has been put may either:

- (a) give a direct oral answer; or
- (b) where the desired information is in a publication of the Council or other published work, refer the questioner to that publication; or
- (c) where the reply cannot conveniently be given orally, give a written answer circulated within 7 days.

### **15.3 Written Answers.**

Where the Mayor considers that:

- (a) a question, or the likely answer to a question, is, or is likely to be, excessively long; or
- (b) that the number of questions at a meeting is excessive; or
- (c) that the amount of other business to be transacted at the meeting demands it;

then the Mayor may direct that any question and answer shall be given in writing without being read aloud at the meeting.

Where the Mayor directs written questions and answers in advance of the meeting, the question and answer shall be made available in writing



at the meeting and shall be incorporated within the minutes of the meeting.

- 15.4 Nothing within Standing Orders 15.3 and 15.4 shall prevent a councillor from putting a supplementary question at the meeting, except that the Mayor may direct any supplementary question to be answered in writing at a later date to enable a properly considered response to be given where the Cabinet Member cannot reasonably be expected to have the level of information at hand to answer the point without prior notice.

## **16. PRESENTATION OF PETITIONS TO THE COUNCIL**

- 16.1 If a petition is presented and relates to a matter in respect of which the Council has powers or duties or which affects the Borough, and it contains more than 4,500 signatures (1,000 for a single ward issue), it will automatically be referred to Council for debate in accordance with the Petition Scheme.
- 16.2 Presentation of a petition on the following business will not be allowed, as set out in the Petition Scheme:
- (a) matters which are “confidential” or “exempt” under the Local Government Access to Information Act 1985; or
  - (b) planning applications
  - (c) licensing applications
  - (d) statutory petitions
- 16.3 A petition organiser may present the petition to the Council meeting for no more than 3 minutes, provided that confirmation has been given to the Council’s Committees Section at least 10 working days before the meeting.
- 16.4 The petition will then be discussed by the Council who will decide to respond to the petition in one of the following ways:-
- (a) take the action the petition requests; or
  - (b) not to take the action requested for reasons put forward in the debate; or
  - (c) note the petition and keep the matter under review; or
  - (d) if the content relates to a matter on the agenda for the meeting the petition be considered when the item is debated; or
  - (e) the petition be referred to the Cabinet or Overview and Scrutiny Committee for further consideration
- 16.5 The petition organiser will receive written confirmation of this decision.

## **17. MOTIONS ON NOTICE**

- 17.1 Any councillor may give notice of a motion for consideration at any meeting of the Council.

## 17.2 **Notice**

These will be recorded in a book, open to public inspection.

- 17.3 Notice of any motion, except one which under these Standing Orders can be moved without notice, must be given in writing to the Chief Executive at least seven clear working days prior to the day of the Council meeting. (This will enable the information to be published with the Council agenda)

## 17.4 **Motion Set Out In the Agenda**

Motions will be listed on the agenda in the order in which they are received, unless the councillor giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

## 17.5 **Scope of Motion**

Every Motion must be about something for which the Council has responsibility or which affects the Borough.

## 17.6 **Motion Not Moved**

If a motion set out in the summons is not moved, either by the councillor who gave notice or by some other councillor on their behalf, it shall, unless the Council agrees otherwise, be treated as withdrawn. The motion may not be moved without fresh notice.

## 18. **MOTION TO REMOVE LEADER**

- 18.1 Notice of any such motion must be given in writing to the Chief Executive and signed by 5 councillors.
- 18.2 Such a motion must be accompanied by a separate motion to appoint a new Leader who should be named in the motion.

## 19. **MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE**

The following motions and amendments 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 on the agenda;
- (d) To refer something to an appropriate individual or committee;
- (e) To appoint a committee or councillor arising from an item on the summons for the meeting;
- (f) To receive reports or adoption of Committee recommendations and any resolutions following from them;
- (g) To withdraw a motion;
- (h) To extend the time limit for speeches;
- (i) To amend a motion;
- (j) To proceed to the next business;

- (k) That the question be now put;
- (l) To adjourn a debate;
- (m) To adjourn a meeting;
- (n) To suspend a particular Standing Order;
- (o) To exclude the public and press in accordance with the Access to Information Procedure Rules;
- (p) To not hear further a councillor named under Standing Order 24.3 or to exclude them from the meeting under Standing Order 24.4;
- (q) To give the consent of the Council where its consent is required by the Constitution; and
- (r) To continue the meeting beyond 3 hours.

## **20. RULES OF DEBATE**

### **20.1 No Speeches until Motion Seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

### **20.2 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 the Chief Executive before it is discussed.

### **20.3 Secunder's Speech**

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

### **20.4 Content and Length of Speeches**

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

No speech may exceed FIVE minutes without the consent of the Mayor and may only exceed ten minutes with the consent of the Council

### **20.5 When a Member May Speak Again**

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

- (a) To speak once on an amendment moved by another councillor;
- (b) To move a further amendment if the motion has been amended since he last spoke;
- (c) If his first speech was on an amendment moved by another councillor, to speak on the main issue (whether or not the amendment on which he spoke was carried);
- (d) In exercise of a right of reply;
- (e) On a point of order; or
- (f) By way of personal explanation.

## 20.6 **Amendments To Motions**

An amendment to a motion must be relevant to the motion and either be:

- i) To refer the matter to the Cabinet or an appropriate Committee or individual for consideration or reconsideration;
- ii) To leave out words;
- iii) To leave out words and add others; or
- iv) To add words.

20.7 An amendment which forms the negative of the motion will not be allowed.

20.8 The Mayor may require the amendment to be written down and handed to the Chief Executive before it is discussed.

20.9 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 voted on or withdrawn by the mover and seconder.

20.10 If an amendment is not agreed, other amendments to the original motion may be moved.

20.11 If an amendment is agreed, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

20.12 After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

*A diagram showing how decisions can be made is **at Appendix 1.***

## 20.13 **Alteration of Motion**

A councillor may alter a motion of which he has given notice with the consent of the meeting.

The meeting's consent will be signified without discussion;

A councillor may alter a motion which he has moved without notice with the consent of both the meeting and the seconder.

The meeting's consent will be signified without discussion.

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

## 20.14 **Withdrawal of Motion**

A councillor may withdraw a motion which he 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.

### 20.15 **Right of Reply**

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.

If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.

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

### 20.16 **Motions which May Be Moved During Debate**

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

- (a) To withdraw a motion;
- (b) To amend a motion;
- (c) To proceed to the next business;
- (d) That the question be now put;
- (e) To adjourn a debate;
- (f) To adjourn a meeting;
- (g) To exclude the public and press in accordance with the Access To Information Procedure Rules; and
- (h) To not hear further a councillor named under Standing Order 24.3 or to exclude them from the meeting under Standing Order 24.4;
- (i) That the meeting continue beyond 3 hours in duration.
- (j) Ending a Debate

20.17 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.

20.18 If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, the Mayor will give the mover of the original motion a right of reply and then put the procedural motion to the vote.

20.19 If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, the Mayor will put the procedural motion to the vote. If it is passed the Mayor will give the mover of the original motion a right of reply before putting the motion to the vote.

20.20 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, the Mayor will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

#### **20.21 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 Standing Orders or the law. The councillor must indicate the Standing 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.

#### **20.22 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.

### **21. PREVIOUS DECISIONS AND MOTIONS**

#### **21.1 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 twelve councillors.

#### **21.2 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 twelve councillors. Once the motion or amendment has been dealt with, no one can propose a similar motion or amendment for six months.

### **22. VOTING**

#### **22.1 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.

#### **22.2 Chairman'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.

#### **22.3 Show of Hands**

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

#### **22.4 Recorded Vote**

- (a) If any councillor present at the meeting requests it before the vote is taken, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes.
- (b) Where the Council makes a budget decision either (i) a calculation in accordance with the Local Government and Finance Act 1992 or (ii) issues a precept under Chapter 4 of Part 1 of that Act then a recorded vote shall be held.

#### **22.5 Right To Require Individual Vote To Be Recorded**

Where any councillor 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.

#### **22.6 Voting on Appointments**

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

### **23. OFFICERS SPEAKING DURING DEBATES**

23.1 Any Chief Officer or his representative may signify his wish to speak. The Mayor shall then use his discretion to call upon the Officer at an appropriate point during the debate. The subject matter on which an Officer may speak shall be confined to:

- i) providing relevant information; or
- ii) explanation or interpretation of a statute or procedure.

23.2 The Mayor may, at his discretion, permit a councillor to seek, through the Chair, the opinion of an Officer on a particular point.

23.3 Any Officer may be called upon to speak by the Mayor who shall indicate the subject matter.

23.4 Where an Officer is presenting a report of which prior notice has been given, the above rules do not apply.

### **24. COUNCILLORS' CONDUCT**

#### **24.1 Standing To Speak**

When councillors speak at Council they must stand and address the meeting through the Mayor. If more than one councillor stands, the Mayor 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.

#### **24.2 Mayor Standing**

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

### **24.3 Member Not To Be Heard Further**

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

### **24.4 Member To Leave The Meeting**

If the councillor continues to behave improperly after such a motion is carried, the Mayor 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.

### **24.5 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.

## **25. DISTURBANCE BY THE PUBLIC**

### **25.1 Removal of Member of the Public**

If a member of the public interrupts or intrudes upon proceedings or otherwise prevents the orderly business of the meeting, the Mayor will warn the person concerned. If they continue to interrupt etc., the Mayor will order their removal from the meeting room.

### **25.2 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.

## **26. EXCLUSION OF PUBLIC**

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or under Standing Order 25 (Disturbance by public).

## **27. RECORD OF ATTENDANCE**

All councillors 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.

## **28. SUSPENSION AND AMENDMENT OF COUNCIL STANDING ORDERS**

### **28.1 Suspension**

All of these Standing Orders except for Standing Orders 22 (enabling a councillor to record their vote) or 9(2) (signing of minutes) may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

### **28.2 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 unless the proposal has been the subject of consideration and report by the Monitoring Officer.

**29. APPLICATION TO ALL COMMITTEES AND SUB COMMITTEES**

All of these Standing Orders apply to meetings of Council. Standing Orders 2-5, 9 and 16-27 (but not 19 and 24.1) apply to meetings of Committees and to meetings of the Cabinet.

**30. PLANNING COMMITTEE – SPEAKING BY THE PUBLIC AND WARD COUNCILLORS**

30.1 The Planning Committee will receive representations from members of the public and applicants in accordance with procedures agreed from time to time by the Committee.

30.2 Any councillor may attend meetings of the Planning Committee but must sit separately from the members of the Committee so that it is clear to members of the public who are the members of the Committee. Any councillor in attendance may, when invited to do so by the Chairman, speak at the meeting in relation to an item relating to his ward provided he/she has notified the Chairman, before the start of the meeting, of his wish to speak on the item.

**31. LICENSING COMMITTEE – SPEAKING BY WARD COUNCILLORS**

Any councillor may attend meetings of the Licensing Committee but must sit separately from the members of the Committee so that it is clear to members of the public who are the members of the Committee. Any councillor in attendance may, when invited to do so by the Chairman, speak at the meeting in relation to an item relating to his ward provided he has notified the Chairman, before the start of the meeting, of his wish to speak on the item.

**32. AUDIT COMMITTEE – ATTENDANCE BY NON COMMITTEE COUNCILLORS**

Any councillor may attend meetings of the Audit Committee of which he/she is not a member but shall sit separately from the members of the Committee so that it is clear to members of the public who are the members of the Committee. A councillor in attendance at such meetings may, when invited to do so by the Chairman, speak at the meeting in relation to an issue being discussed provided he/she has notified the Chairman before the start of the meeting of a wish to speak on an item.

**33. CHAIRMANSHIP OF COMMITTEES**

No councillor shall hold more than one chairmanship at any time and in this Standing Order "chairmanship" means the office of Chairman or Vice-Chairman of a committee. This provision covers the principal committees such as the Cabinet, Members' Code of Conduct, Overview and Scrutiny and the Regulatory Committees.