

# Council Procedure Rules

## Contents

1.	Annual Meeting of the Council .....	1
2.	Ordinary Meetings.....	2
3.	Extraordinary Meetings .....	3
4.	Time and Place of Meetings.....	3
5.	Notice and Summons to Meetings.....	3
6.	Chair of Meeting.....	3
7.	Quorum .....	3
8.	Record of Attendance .....	3
9.	Public Questions and Participation.....	3
10.	Councillors' Questions .....	4
11.	Notice of Motions .....	5
12.	Motions without Notice .....	6
13.	Rules of Debate .....	7
14.	Previous Decisions and Motions (or "Six Month Rule").....	9
15.	Duration of the Meeting.....	9
16.	Voting.....	10
17.	Conflict Resolution – Draft Plans & Strategies.....	10
18.	Conflict Resolution – Budget Estimates.....	11
19.	Special Cases – Appointment of the Head of Paid Service .....	11
20.	Special Cases – Dismissal of Statutory Officers.....	11
21.	Minutes .....	12
22.	Exclusion of Public and Press .....	12
23.	Disturbance by Councillors.....	12
24.	Disturbance by Members of the Public.....	12
25.	Suspension and Amendment of Council Procedure Rules .....	13
26.	Interpretation of the Council Procedure Rules .....	13
27.	Standing Orders & Council Procedure Rules.....	13
	Appendix 1 – Council Debate Flowchart.....	14

## 1. Annual Meeting of the Council

The Annual Meeting of the Council will take place at any venue considered suitable on such dates and times as may be determined by the Proper Officer in consultation with the Leader of the Council.

Commented [SC1]: Old Standing Order 1

[Back to Contents Page](#)

The Meeting will:

- a) elect a person to preside if the Lord Mayor or Deputy Lord Mayor is not present;
- b) elect the Lord Mayor;
- c) consider a vote of thanks to the outgoing Lord Mayor;
- d) appoint the Deputy Lord Mayor;
- e) receive declarations of interest by councillors and officers;
- f) elect the Leader in any year in which the Leader's term of office expires, or if the office of Leader becomes vacant;
- g) note the appointments to the role of Deputy Leader and to the Executive;
- h) appoint such executive portfolios and portfolio holders as the Leader shall consider appropriate on the nomination of the Leader;
- i) appoint the committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions PROVIDED THAT the Council has the authority to dissolve any committee or change its membership at any time, subject to applicable legal provisions;
- j) elect the Chairs and Deputy Chairs of each of the Council's committees PROVIDED THAT no member of the Council shall be eligible to be appointed Chair to more than one standing committee.
- k) appoint Councillors to the Council's standing committees of the Council (Executive, Planning, Licensing, Audit and Governance and its Scrutiny committees)
- l) appoint such voting co-opted members as recommended by the various committees.

**Commented [SC2]:** Old Standing Order 2(1)

**Commented [SC3]:** Old Standing Order 2(2)

**Commented [SC4]:** Old Standing Order 37(1)

**Commented [SC5]:** Old Standing Order 37(3)

**Commented [SC6]:** Old Standing Order 36(1)

**Commented [SC7]:** Old Standing Order 39(2)

**Commented [SC8]:** Old Standing Order 36(3)

**Commented [SC9]:** Old Standing Order 5

## 2. Ordinary Meetings

2.1 The order of business at every ordinary meeting of the Council shall, except as otherwise provided by Council Procedure Rule 2.2, be the following:-

- a) To choose a person to preside if the Lord Mayor and Deputy are absent.
- b) To deal with any business required by statute to be done before any other business.
- c) To approve as a correct record and sign the minutes of the last meeting of the Council
- d) To deal with any business expressly required by statute to be done.
- e) Lord Mayor's Communications and to receive any announcements from the Leader of the Council, or the Head of Paid Service.
- f) To dispose of business (if any) remaining from the last meeting.
- g) To consider any reports from the Leader (if any) of the Executive decisions taken under the Special Urgency Procedure (in Executive Procedure Rule 8.5) in the preceding quarter.
- h) To receive and consider reports and recommendations of Committees and officers.
- i) To consider motions in the order in which notice has been received.
- j) Other business, if any, specified in the summons.

2.2 Business falling under items (a), (b) or (c) of Council Procedure Rule 2.1 shall not be displaced, but the order of business may be varied by:

- a) the Lord Mayor at their discretion; or
- b) a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

### 3. Extraordinary Meetings

The following individuals or groups may request that the Proper Officer arrange for a Council meeting in addition to ordinary meetings:

- a) the Council, through a formal resolution;
- b) the Lord Mayor;
- c) any five councillors, provided they have submitted a signed requisition to the Mayor, and the Mayor has either refused to call the meeting or has not called a meeting within seven days of the requisition's submission;
- d) the Monitoring Officer, if they determine it is necessary for the Council to meet in order to comply with legal or procedural requirements.

### 4. Time and Place of Meetings

Meetings of the Council shall be held at any venue considered suitable, on such dates and times as may be determined by the Proper Officer in consultation with the Leader of the Council.

**Commented [SC10]:** New, but with language borrowed from Standing Order 1

### 5. Notice and Summons to Meetings

The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by them to every councillor or leave it at their usual place of residence. 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.

**Commented [SC11]:** New

### 6. Chair of Meeting

Any power or duty of the Lord Mayor in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

**Commented [SC12]:** Old Standing Order 3

### 7. Quorum

If during any meeting of the Council the Chair, after counting the numbers of Councillors present, declares that there is not a quorum present (i.e. one-third of total membership being less than 13 Councillors), the meeting shall stand adjourned. The consideration of any business not transacted shall be adjourned to the next ordinary meeting of the Council.

**Commented [SC13]:** Old Standing Order 4

### 8. Record of Attendance

Every Councillor attending a meeting of the Council shall sign their name on the attendance list provided for that purpose.

**Commented [SC14]:** Old Standing Order 29

### 9. Public Questions and Participation

#### 9.1 Eligibility to Ask Questions

- a) Members of the public may ask questions at Ordinary Council, but not in the Annual Council Meeting or Extraordinary Council meetings.
- b) Questions may be addressed to the Leader of the Council or Executive members.

#### 9.2 Giving Notice of Questions

- a) Questions must be submitted to the Democratic Services at least three clear working days before the meeting
- b) Questions must include the name and address of the questioner and the intended recipient of the question.
- c) Questions shall be no more than 50 words.
- d) The Monitoring Officer may refuse to include a question if it:
  - (i) is not about a matter for which the local authority has a responsibility or which affects the City;
  - (ii) is defamatory, derogatory, frivolous, offensive or vexatious;
  - (iii) is substantially the same as a question which is due to be asked at the same Council meeting;
  - (iv) is substantially the same as a question which has been asked at a meeting of the Council in the past six months;
  - (v) relates to a Council employment or staffing matter; or
  - (vi) requires the disclosure of confidential or exempt information.

(c) The Monitoring Officer may redirect any question to another Council body or Council Officer if they are better suited to address or deal with the matter.

**Commented [SC15]:** More expansive than the existing SO19

### 9.3 Asking the Question

- (a) The Lord Mayor will ask the questioner to ask their question. A response to the question will be given at the meeting and will also be put in writing and circulated at the meeting.
- (b) If the questioner is not present or an answer cannot be given on the day of the meeting, then the question and response will be published on the website within 5 working days of the meeting.

9.4 **Total length of questions** - The Council will allocate a maximum of 15 minutes for addressing questions. If time does not allow for all questions to be answered, they will be addressed in the order received, with priority given to members of the public who have not asked a question at previous Council meetings, until the time limit is reached.

**Commented [SC16]:** SO19 with references to non-Council meetings removed and minor amendments for the purposes of clarity

9.5 **Petitions** – Petitions containing more than 2,000 signatures submitted in accordance with the Petitions Scheme (Part 5) will be debated by the full Council, unless it requests a Portfolio Holder or senior officer to provide evidence at a public meeting or can otherwise be dealt with by another appropriate Council body. The petition organizer will be allotted five minutes to present the petition, followed by a maximum 15-minute discussion among Councillors. The Council will decide how to respond to the petition during this meeting, with confirmation sent to the petition organizer and published on the website.

**Commented [SC17]:** New addition here, extracted from the petition scheme in part 5

9.6 Further information on public speaking can be found on the [Council's Website](#)

## 10. Councillors' Questions

10.1 At a meeting of the Council, other than the Annual Meeting or Extraordinary meetings, a councillor may ask the Leader of the Council, any Executive member, the Chair of any of the Council's Committees, the Chair of a Scrutiny Committee or a Leader of a political group on the Council questions on matters which the Council has

**Commented [SC18]:** Standing Order 8 - expanded scope due to change to remove the formal presentation of minutes

powers or duties or which affects the area of the Council and which fall within their responsibility.

- 10.2 Every question, which will be limited to one part, will be asked and answered without discussion. Upon receiving the answer, the councillor who put the question shall be allowed one supplementary question, provided that it is relevant to the original question and does not introduce any new subject matter. The supplementary question will be asked and answered orally, but the person to whom the supplementary question has been asked may decline to answer.
- 10.3 The answer to a councillor's question may be given orally and directly, or by way of delegation to another member with the relevant portfolio or chair, or by reference to published material of the Council which is readily available to councillors, or in writing after the meeting (when the answer will be circulated to all councillors).
- 10.4 Questions, including supplementary questions and the replies to them, whether given orally or in writing, will be recorded in the Minutes of the meeting. Where a written answer is to be supplied after the meeting at which the question is asked, if possible the written answer be included as an Annex to the minutes.
- 10.5 The total time allocated for councillors' questions shall be limited to 30 minutes. Each councillor may ask no more than two questions, not including supplementary questions.
- 10.6 No Question will exceed one minute and no answer will exceed two minutes.

## **11. Notice of Motions**

11.1 A motion shall not be proposed at a meeting of the Council save as unless notice is:

- (i) made in writing and signed by a Councillor(s); and
- (ii) given to Democratic Services not later than 10:00 am 8 clear working days before the meeting of the Council.

11.2 The Democratic Services Manager shall record all such motions received and shall be available to every Councillor upon request.

11.3 In the meeting summons, the Democratic Services Manager shall include all motions that meet the requirements in Council Procedure Rule 11.1, in the order they were received, unless the proposing Councillor has requested in writing to defer the motion to a later meeting or has withdrawn it.

11.4 The Monitoring Officer or the Lord Mayor will rule out of order any motion which:

- (i) is not about a matter for which the local authority has a responsibility or which affects the City;
- (ii) relates to a planning application or a specific licence currently being determined by the City Council;
- (iii) is defamatory, derogatory, frivolous, offensive or vexatious;
- (iv) is substantially the same as a motion or petition which has been put at a meeting of the City Council in the past six months;
- (v) relates to a City Council employment or staffing matter; or
- (vi) requires the disclosure of confidential or exempt information.

11.5 Where two or more motions, submitted in accordance with this Procedure Rule are, in the opinion of the Monitoring Officer, of the same, or similar intent, they will either:

- (a) seek agreement to the withdrawal of one or more of the motions to leave one remaining motion; or
- (b) combine the motions, with the agreement of the councillors submitting the motions.

The combined motion shall be notified to all councillors no later than 12 noon two clear working days before the meeting at which the motion is to be considered. The combined motion will take the place of the first of the motions submitted in the order on the Agenda and will be in the joint names of the councillor submitting the original motions. The councillor submitting the combined motion will be expected to agree who will move and second the motion.

- 11.6 In the event that councillor decline to withdraw their motions, or do not agree to the motions being composited, the Council will (subject to any ruling of the Lord Mayor) deal with the motions in the order in which notice was received.
- 11.7 If a motion listed in the summons is not moved by the proposing Councillor or, in their absence, by another Councillor on their behalf, it shall be considered withdrawn unless the Council consents to postpone it. Once withdrawn, it cannot be moved again without fresh notice.
- 11.8 A notice of motion shall generally be debated at the Council meeting where it is introduced. However, the Council may decide to refer it to a Committee due to legal, financial or other relevant considerations. The Committee shall then review the motion and report back to the Council in due course.

## 12. Motions without Notice

The following motions and amendments may be moved without notice:

- (a) Appointment of a Chair of the meeting at which the motion is made.
- (b) Motions relating to the accuracy of the minutes.
- (c) That an item of business specified in the summons have precedence.
- (d) Reference back to a Committee.
- (e) Appointment of a Committee or members thereof, occasioned by an item mentioned in the summons to the meeting.
- (f) To adopt reports and recommendations of the Executive, Committees or officers and consequent resolutions.
- (g) That leave be given to withdraw a motion.
- (h) Amendments to motions, other than those specified in Council Procedure Rule 13.7
- (i) That the Council proceed to the next business.
- (j) That the question be now put.
- (k) That the debate be now adjourned.
- (l) That the Council do now adjourn.
- (m) To suspend the Council Procedure Rules, in accordance with Council Procedure Rule 25.
- (n) Motion under Section 100A of the Local Government Act 1972 to exclude the public.
- (o) That a Councillor named under Council Procedure Rule 24 be not further heard or do leave the meeting.
- (p) Giving consent of the Council where the consent of the Council is required by these Council Procedure Rules.

**Commented [SC19]:** Several changes have been proposed here:

A new power at 11.5 and 11.6 to seek to combine two motions which are of the same intent. This introduces the possible of only one motion being debated rather than two similar ones.

The time for the submission of motions has been brought forward from 5 clear working days before the meeting to 8 clear working days to allow officers to review the proposed motions. Officer capacity is limited on the day of publication, the day on which the previous deadline fell. This also gives more time for discussions to take place about whether motions could be combined (i.e. new proposed 11.5 and 11.6).

The scope for refusing motions has also been widened. There are now 6 heads under which a motion could be refused (at 11.4) including substantially the same motion already having been debated at a City Council meeting in the past 6 months. This should cut down on an item being repeatedly heard across multiple meetings.

**Commented [SC20]:** Old Standing Order 7

### 13. Rules of Debate

- 13.1 A Council debate flowchart has been prepared to assist with the rules of debate. This is available at Appendix 1 – Council Debate Flowchart.
- 13.2 **Speaker to Address the Lord Mayor** - A Councillor when speaking shall stand and address the Lord Mayor. If two or more Councillors rise, the Lord Mayor shall call on one to speak; the other/others shall then sit. While a Councillor is speaking the other Councillors shall remain seated, unless rising to a point of order or in personal explanation.
- 13.3 **Respect of Chair** - Whenever the Chair rises during a debate a Councillor then standing shall resume their seat and the Council shall be silent.
- 13.4 **Motions and Amendments** - A motion or amendment shall not be discussed unless it has been proposed and seconded and unless notice has already been given in accordance with Council Procedure Rule 11 it shall, if required by the Lord Mayor, be put into writing and handed to the Lord Mayor before it is further discussed or put to the meeting.
- 13.5 **Seconders' Speech** - A Councillor when seconding a motion or amendment may, if they then declare their intention to do so, reserve their speech until a later period of the debate. Only one Councillor shall stand at one time.
- 13.6 **Content of Speeches** - A Councillor shall direct their speech to the question under discussion or to a personal explanation or to a point of order.
- 13.7 **When a Councillor May Speak Again** - A Councillor who has spoken on any motion shall not speak again whilst it is the subject of debate, except:
- (a) to speak once on an amendment moved by another Councillor;
  - (b) if the motion has been amended since they last spoke, to move a further amendment;
  - (c) if their first speech was on an amendment moved by another Councillor, to speak on the main issue, whether or not the amendment on which they spoke was carried;
  - (d) in exercise of a right of reply given under Council Procedure Rule 13.12;
  - (e) on a point of order;
  - (f) by way of personal explanation.
- 13.6 **Amendments to Motions** - An amendment shall be relevant to the motion and shall be:-
- (a) to refer a subject of debate to a Committee or elsewhere for consideration or reconsideration;
  - (b) to leave out words;
  - (c) to leave out words and insert or add words;
  - (d) to insert or add words;
- as long as the effect is not to negate the motion.  
such omission, insertion or addition of words shall not have the effect of introducing a new proposal into the motion before the Council.
- 13.7 Any amendment which would, if adopted, have an effect on the Council's revenue or capital finance shall not be considered at the meeting of the Council at which the level of the Council Tax is set for the ensuing financial year unless prior written notice has been given to the Democratic Services Manager, 3 clear working days in

**Commented [SC21]:** No change to the old Standing Order 10 save for the addition of a council debate flowchart and moving Speaker to Address the Lord Mayor and Respect of the chair to the top of procedure rule

advance of such meeting, to enable the Chief Executive and/or the Chief Finance Officer to report to the Council on the financial implications of such amendment.

- 13.8 Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of.
- 13.9 If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- 13.10 **Alteration to Motion** - A Councillor may, with the consent of the Council, signified without discussion:-
- (a) alter a motion of which they have given notice, or
  - (b) with the further consent of their seconder, alter a motion which they have moved (except a motion of which they have given notice under Council Procedure Rule 11) if (in either case) the alteration is one which could be accepted as an amendment.
- 13.11 **Withdrawal of Motion** - A motion or amendment, including a Notice of Motion under Council Procedure Rule 11, may be withdrawn by the mover with the consent of their seconder and of the Council, which shall be signified without discussion, and no Councillor may speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.
- 13.12 **Right of Reply** - The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote. If an amendment is moved, the mover of the amendment shall have the right of reply at the close of the debate on their amendment prior to the mover of the original motion. The mover of the original motion shall have a right of reply at the close of the debate on the amendment, but shall not otherwise speak on the amendment.
- Where an amendment is moved in respect of a minute of the Executive falling within the remit of a portfolio holder, that portfolio holder may at the request of the Leader exercise the right to reply.
- 13.13 **Motions Which May Be Moved During The Debate** - When a motion is under debate no other motion shall be moved except the following:-
- (a) to amend the motion;
  - (b) to adjourn the meeting;
  - (c) to adjourn the debate;
  - (d) to proceed to the next business;
  - (e) that the question be now put;
  - (f) that a Councillor be not further heard;
  - (g) by the Lord Mayor under Council Procedure Rule 23 that a Councillor do leave the meeting;
  - (h) a motion under Section 100A of the Local Government Act 1972 to exclude the public.
- 13.14 **Closure Motions** - A Councillor may move without comment at the conclusion of a speech of another Councillor that:
- (i) "the Council proceed to the next business",



- (ii) "the question be now put",
- (iii) "the debate be now adjourned"
- (iv) "the Council do now adjourn"

Following the seconding of which (also without comment), the Chair shall proceed as follows on a motion:-

- (a) **to proceed to the next business:** If the Chair believes the matter has been sufficiently discussed, the motion shall be put to a vote. The original motion's mover shall not have a right of reply under paragraph 13.12 before the vote.
- (b) **that the question be now put:** If the Chair believes the matter has been sufficiently discussed, the motion shall be put to a vote. If the motion passes, the Chair shall allow the original motion's mover a right of reply under paragraph (12) before the final vote.
- (c) **to adjourn the debate or the meeting:** If the Chair believes the matter has not been sufficiently discussed and cannot reasonably be concluded on this occasion, the adjournment motion shall be put to a vote immediately, without a right of reply for the original motion's mover. If passed, the debate and/or meeting will be adjourned immediately.

13.15 **Points of Order** - A Councillor may rise on a point of order or in personal explanation and shall be entitled to be heard immediately. A point of order shall relate only to an alleged breach of a Council Procedure Rule or statutory provision and the Councillor shall specify the Council Procedure Rule or statutory provision and the way in which they consider it has been broken. A personal explanation shall be confined to some material part of a former speech by them which may appear to have been misunderstood in the present debate.

13.16 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

## 14. Previous Decisions and Motions (or "Six Month Rule")

14.1 No motion to rescind any Council resolution passed within the last six months, and no motion or amendment to the same effect as one which has been rejected within the last six months, shall be proposed, unless notice in accordance with Council Procedure Rule 11 bears the names of at least one-third of the Councillors of the Council. When any such motion or amendment has been disposed of by the Council, it shall not be open to any Councillor to propose a similar motion within a further period of six months.

14.2 The Council Procedure Rule in 14.1 shall not apply to any motion on a recommendation of a Committee or the Executive.

## 15. Duration of the Meeting

15.1 The Lord Mayor will adjourn the meeting for a period of ten minutes at a convenient time after two hours.

15.2 At a convenient time after a meeting has been in progress for three hours from its start time, the Lord Mayor will announce the start of the closure procedure.

Commented [SC22]: Standing order 26

- 15.3 The Lord Mayor will allow a maximum of thirty minutes for the completion of the closure procedure.
- 15.4 Once the Lord Mayor has announced the start of the closure procedure, all remaining business shall be formally moved, formally seconded and voted upon without discussion.
- 15.5 At the discretion of the Lord Mayor, short introductory speeches by the mover of a motion or amendment, to a maximum of one minute, will be allowed on each item of business raised during the closure procedure.
- 15.6 Before any matters are considered under the closure procedure, a motion may be moved and seconded, in accordance with Council Procedure Rule 25 (Suspension of Council Procedure Rules), to suspend this Procedure Rule in relation to all, or specified, business remaining.
- 15.7 This Procedure Rule will have precedence over all other relevant Procedure Rules.

Note: Convenient time is at the discretion of the Lord Mayor, but will usually mean at the end of the item under consideration.

## 16. Voting

- 16.1 The mode of voting at meetings of the Council shall be by show of hands.
- 16.2 The voting on any question shall be by roll call on the requisition of any Councillor which is proposed before the vote is taken and supported by five other Councillors. The vote shall be recorded so as to show how each Councillor present and voting gave their vote. The name of any Councillor present and not voting shall also be recorded.
- 16.2 In the event of an equality of votes the Lord Mayor shall have a second or casting vote.
- 16.3 If any Councillor so requires immediately after a vote is taken by a show of hands, there shall be recorded in the minutes of the proceedings of that meeting how that Councillor gave their vote or whether that Councillor abstained from voting.
- 16.4 **Voting on Budget Settings** - Immediately after a vote is taken at a budget meeting which includes setting of the Council Tax and Precepts, there must be recorded in the minutes the names of the Councillors present to show how each Councillor voting gave their vote. The name of any Councillors who abstained shall also be recorded.
- 16.5 **Voting on Appointments** - Where more than two persons are nominated for any position to be filled by the Council, and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

Commented [SC23]: Standing Order 27

Commented [SC24]: Standing Order 28

## 17. Conflict Resolution – Draft Plans & Strategies

- 17.1 If the Executive submits a draft plan or strategy for approval and full Council raises objections after reviewing it, full Council must notify the Leader of these objections before adopting, amending the draft plan or strategy or otherwise approving any plan or strategy that requires submission to the Secretary of State or any Minister of the Crown.

17.2 The Leader will be instructed to direct the Executive to reconsider the draft plan or strategy in light of the objections.

17.3 The Council must specify a period of at least five working days (starting the day after the Leader receives notice of the objections) during which the Leader may either:

(a) Submit a revised plan or strategy, along with the Executive's rationale for any changes made; or

(b) Inform the Council of any disagreements the Executive has with the objections, providing reasons for such disagreements.

17.4 After the time period outlined in Procedure Rule 17.3 has expired, the Council must consider the Leader's response when adopting, amending the draft plan or strategy.

**Commented [SC25]:** Standing Order 12(A) reworded slightly for clarity

## 18. Conflict Resolution – Budget Estimates

18.1 If, before the 15th of February in any financial year, the Executive submits estimates of amounts for approval and the Council raises objections after considering the estimates, the Council must notify the Leader of these objections before approving the amounts.

18.2 The Leader will be instructed to direct the Executive to reconsider the estimates in light of the objections.

18.3 The Council must specify a period of at least five working days (starting the day after the Leader receives notice of the objections) during which the Leader may either:

(a) Submit a revised estimate or amounts, along with the Executive's rationale for any amendments made; or

(b) Inform the Council of any disagreements the Executive has with the objections, providing reasons for such disagreements.

18.4 Once the time limit outlined in Procedure Rule 16.3 has expired, the Council must consider the Leader's response when amending, approving, or adopting the estimates or amounts.

18.5 For the avoidance of doubt, the provisions of this Procedure Rule 18 shall not apply to amounts stated in a precept.

**Commented [SC26]:** Standing Order 12(B) reworded slightly for clarity

## 19. Special Cases – Appointment of the Head of Paid Service

Council must approve the appointment of the Head of Paid Service based on a recommendation from a Committee or Sub-Committee of the Council, which must include at least one Executive member and otherwise be in accordance with the Officer Employment Procedure Rules.

## 20. Special Cases – Dismissal of Statutory Officers

A decision to dismiss the Head Paid of Service, Monitoring Officer and/or Section 151 Officer may only be taken by Council in accordance with the procedure set out in the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) as may be amended from time to time and otherwise be in accordance with the Officer Employment Procedure Rules.

## 21. Minutes

- 21.1 The Chair shall put the question that the minutes of the meeting of the Council, held on the.....day of.....be approved as a correct record.
- 21.2 No discussion shall take place upon the minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Lord Mayor shall sign the minutes.
- 21.4 The minutes of the preceding Council meeting shall be put to the next ordinary meeting of the Council.
- 21.5 The minutes of an Extraordinary meeting of the Council shall be approved and signed by the Chair of the next ordinary meeting of the Council in accordance with paragraph [41\(1\) and \(2\) of Schedule 12 of the Local Government Act 1972](#).

## 22. Exclusion of Public and Press

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 (at rule 10 referencing [Schedule 12A to the Local Government Act 1972](#)) or Council Procedure Rule 24 (Disturbance by Public).

## 23. Disturbance by Councillors

- 23.1 If in the opinion of the Chair, at a meeting of the Council, a Councillor misconducts themselves by:
- (a) persistently disregarding the ruling of the Chair;
  - (b) behaving irregularly, improperly or offensively; and/or
  - (c) wilfully obstructing the business of the Council.
- the Chair or any other Councillor may move that "*the member named be not further heard*" and the motion if seconded shall be put and determined without discussion.
- 23.2 If the Councillor named continues their misconduct after a motion under Procedure Rule 23.1 has been carried the Chair shall either:
- (a) Move "*that the member named do leave the meeting*" (in which case the motion shall be put and determined without seconding or discussion); or
  - (b) Adjourn the meeting for such period as they in their discretion shall consider appropriate.
- 23.3 In the event of general disturbance, which in the opinion of the Chair renders the due and orderly dispatch of business impossible, the Chair may without discussion adjourn the meeting of the Council for such period as they in their discretion shall consider expedient.

## 24. Disturbance by Members of the Public

- 24.1 If a member of the public interrupts the proceedings at any Council meeting, the Chair shall warn them. If they continue the interruption, the Chair shall order their removal from the Council chamber or other meeting room.

24.2 In case of general disturbance in any part of the chamber open to the public the Chair shall order that part to be cleared.

Commented [SC27]: Standing Order 25

## 25. Suspension and Amendment of Council Procedure Rules

25.1 **Suspension** - The Council Procedure Rules may be suspended either:

- i. by notice of motion; or
- ii. without notice if there shall be present at least one-half of the whole number of Councillors.

This is however subject to:

(a) No suspension of the Council Procedure Rules shall be permitted so as to negate the requirements for notice to be given under Council Procedure Rule 13.7 (Council Tax), Standing Order 39(1) (Removal of the Leader) and Council Procedure Rule 25.2 (Amendment of Council Procedure Rules).

(b) There will be no discussion on a motion to suspend a Council Procedure Rule.

(c) Suspension can only be for the duration of the meeting.

25.2 **Amendment** - Any motion to add to, vary or revoke these Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

## 26. Interpretation of the Council Procedure Rules

The ruling of the Lord Mayor as to the construction or application of any of these Council Procedure Rules, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.

## 27. Standing Orders & Council Procedure Rules

These Council Procedure Rules take precedence in respect of full Council meetings over the remaining Standing Orders contained in Part 4.

## Appendix 1 – Council Debate Flowchart

