



**Appendix A**

**COUNCIL PROCEDURE RULES**

These rules are designed to ensure meetings of the Full Council run smoothly and are conducted properly.

**1. ANNUAL MEETING OF THE COUNCIL**

**1.1 Timing**

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.

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

**1.2 Business**

The annual meeting will carry out the tasks listed below.

- (i) Elect a person to preside if the Chairman/woman of Council is not present.
- (ii) Elect the Chairman/woman of Council.
- (iii) Elect the Vice-Chairman/woman of Council.
- (iv) Approve the minutes of the last meeting.
- (v) Receive any announcements from the Chairman/woman and/or Head of Paid Service.
- (vi) Agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution).
- (vii) Approve a programme of ordinary meetings of the Council for the year.
- (viii) Consider any business set out in the notice convening the meeting.
- (ix) Receive a short (two sides of A4) report on each Policy and Service Committee. The report to be prepared by the relevant Service and not open for discussion at the meeting.

In addition, the annual meeting in a year where there is an ordinary election of Councillors will receive the report of the County Returning Officer for information, and will receive the Council's Constitution for endorsement.

**1.3 Selection of Councillors on Committees and Outside Bodies**

At the annual meeting, the Council will:



- (i) Decide which committees and sub-committees to establish for the municipal year.
- (ii) Decide the size and terms of reference for those committees and sub-committees.
- (iii) Decide the allocation of seats and substitutes to political groups in accordance with the political balance rules.
- (iv) Appoint the Chairman/woman and Vice-Chairman/woman of the General Purposes Committee who will also fulfil the role of Leader and Deputy Leader of the Council respectively.
- (v) Appoint the Chairman/woman and Vice-Chairman/woman of each of the five service committees.
- (vi) Appointment of the Chairman/woman of the Cambridgeshire Health and Wellbeing Board.
- (vii) Appoint to those outside bodies except where appointment to those bodies has been delegated by the Council.

## 2. **ORDINARY MEETINGS**

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. Ordinary meetings will:

- (i) Elect a person to preside if the Chairman/woman and Vice-Chairman/woman are not present.
- (ii) Approve the minutes of the last meeting.
- (iii) Receive any announcements from the Chairman/woman, Leader, Committee Chairmen or the Chief Executive.
- (iv) Subject to the consent of the person presiding at the meeting:
  - (a) receive questions from, and provide answers to, the public; and
  - (b) receive petitions in accordance with the Council's petitions scheme.
- (v) Deal with any business from the last Council meeting.
- (vi) Consider recommendations from the Council committees on matters requiring a Council decision.
- (vii) Receive reports about and receive questions and answers on the business of joint arrangements and external organisations.
- (viii) Consider motions.



- (ix) Consider any other business specified in the summons to the meeting, including consideration of proposals from the General Purposes Committee in relation to the Council's budget and policy for debate.
- (x) Put questions to the Leader of the Council, Committee Chairmen and representatives on the Fire Authority.

### **3. EXTRAORDINARY MEETINGS**

#### **3.1 Calling Extraordinary Meetings**

Those listed below may request the Proper Officer to call Council meetings in addition to ordinary meetings:

- (i) The Council by resolution
- (ii) The Chairman/woman of the Council
- (iii) The Monitoring Officer
- (iv) Any five members of the Council if they have signed a requisition presented to the Chairman/woman of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

Any requisition received for an extraordinary meeting must specify the business to be transacted at the meeting.

#### **3.2 Business**

The business to be transacted at an extraordinary meeting of the Council shall be restricted to those items set out in the summons.

### **4. APPOINTMENTS TO COMMITTEES**

#### **4.1 Allocation**

Every person appointed to be a member of a committee or sub-committee will remain a member of that committee until the first of the following events:

- (a) he/she ceases to be a Councillor
- (b) his/her resignation
- (c) changes to political balance necessitate changes to committee membership
- (d) removal by the Proper Officer at the request of his/her group



The Full Council is required to keep the allocation of seats to groups under review.

Whenever allocation of seats is considered by the Full Council the Monitoring Officer shall submit a report showing what the allocation of seats should be in order to ensure committees reflect the overall political balance of the Council.

Democratic Services will ensure that all appointments to committees are reported to the next meeting of the appropriate committee.

Any changes in membership must be notified to the Democratic Services Manager by the Group Leader or the majority of the group no later than 12.00 noon five (5) clear working days before the relevant meeting.

As well as allocating seats on committees and sub-committees, the Council will allocate seats in the same manner for up to four members of each political group as substitute members.

#### **4.2 Number**

~~For each committee, the Council may appoint up to four named substitutes from each political group at the request of the Group Leader.~~

#### **4.2 Powers and Duties**

Substitute members, when substituting for an ordinary member of the committee, 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.

#### **4.3 Substitution**

Substitute members may attend meetings in that capacity only:

- (i) To take the place of the ordinary member for whom they are the designated substitute.
- (ii) After notifying the relevant Democratic Services Officer of the intended substitution before the start of the meeting.

In the event of the ordinary member of the committee being present at the start of the meeting, the ordinary member may advise that the substitution shall not take effect. The membership of the committee shall be as constituted at the start of the meeting and substitution will not be permitted during the course of the meeting.

Substitute members are eligible for allowances in accordance with the Council's scheme of allowances as if they were appointed members of that committee.



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

The time and place of meetings will be determined by the Proper Officer and notified in the summons.

## **6. NOTICE OF 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 Procedure Rules. At least five clear days before a meeting, the Proper Officer will send a summons signed by him/her by post to every member of the Council or leave it at his/her 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.

## **7. CHAIRMAN/WOMAN OF MEETING**

The person presiding at the meeting may exercise any power or duty of the Chairman/woman. ~~Where these rules apply to committee meetings, references to the Chairman/woman also include the chairmen of committees.~~

If any issues arise at a meeting in relation to the interpretation of the procedure rules, the Chairman/woman's decision shall be final.

## **8. QUORUM**

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

## **9. QUESTIONS BY MEMBERS**

### **9.1 Oral Questions**

A member of the Council may ask the Leader of the Council, the Chairman/woman of any Committee or representative on the Fire Authority a question on any matter discussed at a Committee meeting, relevant to the business of the Council, or matter which affects the County of Cambridgeshire excluding extraordinary or special meetings of the Council and the first annual meeting of a new Council. The maximum time allowed for these questions and answers will be 60 minutes. Members shall have up to two minutes in which to ask the question.

An answer to an oral question may take the form of:

- (i) A direct oral answer of up to a maximum of two minutes.



- (ii) Where the desired information is in a publication of the Council or other published work, a reference to that publication.
- (iii) Where the reply cannot conveniently be given orally, a written answer circulated later to the questioner and made available to all members of Council and to the public.

A member asking an oral question under Rule 9.1 may ask one supplementary question without notice of the member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply and shall be limited to a maximum of one minute. An oral response will be limited to two minutes.

All questions:

- must be relevant to matters for which the Council has powers or duties
- must not relate to an item which is included elsewhere on the County Council agenda (e.g. in a matter for decision or report from Committee or relating to a motion on the agenda) as they can be raised at that point in the meeting.
- should be limited to obtaining information or pressing for action.

Questions should not:

- be incapable of being adequately answered in two minutes
- contain offensive expressions
- divulge, or require the answer to divulge, confidential or exempt information.

Any facts on which a question is based should be identified briefly when the question is asked. Members may be asked to verify authenticity of any factual statement.

## 9.2 **Written Questions**

Subject to the provisions set out below, a member of the Council may ask:

- the Chairman/woman;
- the Chairman/woman of any committee

a question in writing on any matter in relation to which the Council has powers or duties or which affects the County.

A member may only ask a written question under Rule 9.2 if either:

- (a) he/she has given notice in writing of the question to the Proper Officer no later than 12.00 noon five working days before the date of the meeting, excluding extraordinary or special meetings of the Council and the first annual meeting of a new Council, where no written questions may be asked unless they are agreed as an urgent item by the Chairman/woman under paragraph (b) below; or



- (b) the question relates to urgent matters, he/she has the consent of the Chairman/woman to whom the question is to be put and the content of the question is given to the Proper Officer at least one hour before the scheduled start of the meeting.

The maximum number of written questions submitted to any one meeting will be 13, allocated across the Political Groups taking account of proportionality.

### 9.3 **Public Question Time**

There will be an opportunity for up to four members of the public to ask questions at meetings of the County Council, excluding extraordinary or special meetings of the Council and the first annual meeting of a new Council, to the Leader of the Council and the Chairman/woman of any Committee.

Members of the public wishing to ask a question at the Council meeting should provide the following details to the Council's Democratic Services by no later than 12.00 noon, five working days before the meeting:

- Name and address and contact details of the person asking the question.
- The name of the organisation if the question is being asked on their behalf.
- Details of the question to be asked.
- The name or position of the member of the Council to whom it is to be put.
- Brief information about how the subject of the question relates to the person asking the question (e.g. as a resident of the area, as a recipient of a service, as the owner of a property affected by a proposal).

Only one question may be asked by each member of the public or organisation and the question must relate to a single topic. Members of the public shall have up to two minutes in which to ask the question.

The named member will respond to the question which may take the form of:

- (a) a direct oral response of up to a maximum of two minutes;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written response circulated later to the questioner and made available to all members of Council and to the public.

After the response has been given, the questioner has up to a further minute in which to put one supplementary question or seek clarification of the response to the original question. The supplementary question must arise directly out of the original question or the reply and must not introduce new material.



The recipient of the original question then has up to a further two minutes in which to reply to the supplementary question.

No debate will be allowed on any question or the response.

If the questioner cannot be present at the council meeting to pose her/his [sic] question, a written question will be accepted and answered in writing.

#### 9.4 **Petition Scheme**

The Council will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition and it meets the criteria set out below.

**Paper petitions** can be sent to:

The Petitions Officer  
Cambridgeshire County Council  
Box Number SH1102  
Shire Hall  
Castle Hill  
Cambridge  
CB3 0AP

**Electronic petitions** will also be accepted provided they are:

- submitted using the ePetitions facility; or
- submitted as one document, containing either all the local persons' individual e-mails received by the organiser on a specific date - these must include the individual names and addresses in order to be valid, or if a standard template e-mail has been used, the list of names, postal addresses and e-mail addresses of those supporting the petition. These petitions should be sent to: [DemocraticServices@cambridgeshire.gov.uk](mailto:DemocraticServices@cambridgeshire.gov.uk).

When a petition is received the Council may consider undertaking one, or more of the following actions:

- taking action as requested in the petition
- meeting with petitioners
- referring the petition to Full Council or one of the Council's Committees
- calling a referendum [A referendum on constitutional change could be triggered with a petition submitted by 5% of the local government electors registered in the local authority's area.]

Once a petition has been received, the Petition Officer will assign the petition to a Democratic Services Officer, who will be responsible for advising the Petition Organiser on the action to be taken by the authority. A Democratic Services Officer will acknowledge and advise the Petition Organiser within 10 working days.





## **Petition Guidelines – Types of Petition**

### **Ordinary Petitions**

The petition must relate to functions for which the Council has powers or duties [follow this link for more information: Council Structure], or to improvements in the economic, social or environmental welfare of Cambridgeshire, to which the Council, or any of its partners, can contribute.

### **Format of Petitions**

Petitions submitted to the Council must include the following:

- A clear statement of your concerns and what you want the Council to do.
- The name and contact details of the Petition Organiser, who should be a local person\*. This may be either a postal address or e-mail. This is the person we will contact to explain how we will respond to the petition and to discuss matters of process.
- The name (preferably in block capitals) and full address of each local person\* who signs it. This will help the Council assess the extent to which the views expressed represent a particular locality. Where the petition is in paper form, this should include an actual signature. Where the petition is submitted in electronic form a list of the names and addresses will suffice.

\* *A 'local person' is anyone who lives, owns a business, or works in the area (business address to be recorded where appropriate), or who attends a school or college in the area at the time the petition is submitted.*

### **Speaking at Council/Committee Meetings**

The Petition Organiser, or their nominee\*\* will be able to speak at the meeting providing the following conditions are met:

- The petition must relate to the powers and duties of that committee / body.
- It must be signed by at least 50 'local people' \*\*\* who have an interest in the subject of the petition - the addresses of the signatories must be included for this purpose.
- The petition must be received by no later than 9.00 a.m. 5 working days before the meeting.
- It must be accepted by the Chairman/woman of the Committee for presentation at the meeting. This is likely to be agreed unless there are exceptional circumstances.



*\*\* County Councillors will not usually be allowed to speak to petitions under this procedure as they have other opportunities to make their views known. This may however be allowed where the Councillor has a prejudicial interest preventing them from speaking to a report, or where the Petition Organiser or other representative of the petitioners is unable to attend the meeting. In these circumstances the Chairman/woman of the meeting concerned will be consulted and asked to exercise their discretion to allow a County Councillor to present the petition.*

*\*\*\* A 'local person' is anyone who lives, owns a business, or works in the area (business address to be recorded where appropriate), or who attends a school or college in the area at the time the petition is submitted.*

### **Process at the Meeting**

If there is an item / report on the agenda which relates to the petition, the Petition Organiser will usually be asked to make their presentation at the beginning of that item. The meeting will take into account the views expressed in the petition when reaching a decision on the issue. Time for presenting a petition will be limited to 3 minutes. The Chairman/woman of the meeting may extend the time allowed, but only in exceptional circumstances. Once they have spoken to the meeting, Councillors may wish to ask them questions about the petition. The person presenting the petition will not be allowed to take part in the subsequent debate on the petition unless the Chairman/woman considers it appropriate with the agreement of the Committee.

If there is no relevant item on the agenda, petitions will usually be heard at the start of the meeting. The petition after its presentation cannot normally be discussed at the meeting. However the petition will be considered informally by the relevant officer and Councillors following the meeting. This could involve a report being made to a future meeting of the Committee.

Petition Organisers will either receive from the Chairman/woman of the meeting a written confirmation of the outcome of their petition within ten working days of the meeting, or where the outcome is not yet known, will within ten working days of the meeting receive an update on the action proposed, and written confirmation of the outcome from the Chairman/woman as soon as reasonably possible.

If your petition is about something over which the Council has no direct control, the Council will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and where possible, will liaise with these partners to respond to your petition. If the Council is not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then it will set out the reasons for this in the Council's response to the Petition Organiser.



### **Petitions for Debate at Council**

If a petition contains at least 3,000 signatures, the Petition Organiser can ask for it to be debated at a meeting of Full Council. This means that the issue raised in the petition will be discussed at a public meeting which all Councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will be deferred to the following meeting.

The Petition Organiser, or nominee, may speak to a petition presented at the Council meeting provided that the above conditions are met.

The Petition Organiser, or nominee, will be given 5 minutes to present the petition at the meeting and the petition may be discussed by Councillors for a maximum of up to 15 minutes. The Council will decide how to respond to the petition at this meeting. It may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by the relevant committee. Where the Petition Organiser does not attend the meeting, they will receive written confirmation of this decision within ten working days of the meeting.

### **Exclusions**

Certain petitions are not covered by this Scheme and are dealt with under separate processes. These are:

- Petitions relating to planning applications. These are considered by the Council's Planning Committee. Further details on how you can make your views known to the Committee can be found via the following link: [Planning Committee](#)
- Petitions relating to traffic regulation orders. These are considered by the Head of Local Infrastructure and Street Management in consultation with the Local Members for all districts except Cambridge City.
- Petitions in response to consultation on a specific issue or proposal. These should be sent to the return address as detailed in the relevant consultation document.
- Statutory petitions (for example requesting a referendum on having an elected mayor)
- A matter whether there is an existing right of appeal

The Council will not consider:

- Petitions that do not follow the guidelines set out in this Petition Scheme.
- Petitions that do not relate to something which is the responsibility of the authority, or over which the authority has some influence.



- Petitions disclosing matters that are personal or confidential.
- Petitions which are in the opinion of the Monitoring Officer, in consultation with the relevant committee Chairman/woman, to be libellous, rude, offensive, vexatious, abusive or otherwise inappropriate, or which are in breach of the Council's statutory duties in respect of equality, diversity and inclusion.
- Petitions from, or submitted on behalf of a business, or person, where the main purpose of the petition is to influence a forthcoming commercial decision of the Council, or the terms and conditions of a commercial transaction.
- Duplicate petitions. Where more than one petition is received in time for a particular meeting, each supporting the same outcome, each Petition Organiser will be treated as an independent Petition Organiser, but only the organiser of the first petition to be received will be invited to address the relevant meeting.
- Repeat petitions. Petitions will not normally be considered within six months of another petition on the same matter having been considered by a committee of the Council.

Where any of the above applies, the Council's Petitions Officer will contact the Petition Organiser to explain the reasons behind the decision.

## 10. **MOTIONS ON NOTICE**

### 10.1 **Notice**

Except for motions which can be moved without notice under Rule 11, written notice of motions for discussion at Council meetings, excluding extraordinary or special meetings of the Council or the first annual meeting of a new Council, must be delivered to the Proper Officer not later than 12.00 noon 14 days before the date of the meeting. The Proper Officer will maintain a public record of all motions submitted.

### 10.2 **Motion set out in Agenda**

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

### 10.3 **Scope**

Motions must be about matters for which the Council has a responsibility or which affect the County. They may propose an addition or change to a policy framework provided that the addition or change could not reasonably have been raised when the policy framework was originally approved.



## **11. MOTIONS WITHOUT NOTICE**

The following motions may be moved without notice:

- (a) To appoint a Chairman/woman of the meeting at which the motion is moved.
- (b) In relation to the accuracy of the minutes.
- (c) To change the order of business in the agenda.
- (d) To refer something to an appropriate body or individual.
- (e) To appoint a committee or member arising from an item on the summons for the meeting.
- (f) To receive reports or adoption of recommendations of committees or officers and any resolutions following from them.
- (g) To withdraw a motion.
- (h) To amend a motion.
- (i) To proceed to the next business.
- (j) That the question be now put.
- (k) To adjourn a debate.
- (l) To adjourn a meeting.
- (m) To suspend a particular Council Procedure Rule.
- (n) To exclude the public and press in accordance with the Access to Information Rules.
- (o) To not hear further a member named under Rule 19.3 or to exclude him/her from the meeting under Rule 19.4.
- (p) To give the consent of the Council where its consent is required by this Constitution.

## **12. RULES OF DEBATE**

### **12.1 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.

### **12.2 Right to Require Motion or Amendment In Writing**

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

### **12.3 Seconded's Speech**

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

### **12.4 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 5 minutes without the consent of the Chairman/woman.



## **12.5 When a Member may Speak Again**

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

## **12.6 Amendments to Motions**

- (a) An amendment to a motion must be relevant to the motion and will either be:
  - (i) To refer the matter to an appropriate body or individual for consideration or reconsideration.
  - (ii) To leave out words.
  - (iii) To leave out words and insert or add others.
  - (iv) To insert or add words.
  - (v) As long as the effect of (ii) to (iv) is not to negate the motion.
- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Chairman/woman will advise the meeting of the content of the amended motion before accepting any further amendments, or if there are none, put it to the vote.

## **12.7 Alteration of Motion**

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



- (c) Only alterations to the motion which could be made as an amendment may be made.

## 12.8 **Withdrawal of Motion**

A member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

## 12.9 **Right of Reply**

- (a) The mover of a motion, whether amended or not, has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) 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.
- (c) The mover of the amendment has no right of reply to the debate on his/her amendment.

## 12.10 **Motions which may be Moved During Debate**

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

- (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 Rules.
- (h) To not hear further a member named under Rule 19.3 or to exclude ~~them~~ him/her from the meeting under Rule 19.4.

## 12.11 **Closure Motions**

- (a) A member may move, without comment, the following motions at the end of a speech of another member:
  - (i) to proceed to the next business.
  - (ii) that the question be now put.
  - (iii) to adjourn a debate.
  - (iv) to adjourn a meeting.



- (b) If a motion to proceed to next business is seconded and the Chairman/woman 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.
- (c) If a motion that the question be now put is seconded and the Chairman/woman 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.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman/woman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

#### **12.12 Point of Order**

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

#### **12.13 Personal Explanation**

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

### **13. STATE OF COUNTY DEBATE**

- 13.1 The Chairman/woman, in consultation with the Leader, may convene meetings of the Council to discuss matters relating to the state of the County. The application of these Rules to such meetings may be varied in accordance with a detailed protocol agreed by the Council.

### **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 a third of 44 members.





## **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 a third of 14 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 Chairman/woman's Casting Vote**

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

### **15.3 Method of Voting**

Unless a recorded vote is demanded under Rule 15.5 or required under Rule 15.6 or the Chairman/woman determines that the vote will be by means of the electronic voting system under Rule 15.4, or by ballots under Rule 15.9, the Chairman/woman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

### **15.4 Electronic Voting**

Where indicated by the Chairman/woman presiding at the meeting, voting may be by means of the electronic voting system. The result of the vote shall be as indicated by the electronic voting system announced by the person presiding at the meeting.

The results of all electronic votes shall be published as a PDF version of the notepad document (as produced by the voting system) on an appropriate page on the Council's website.

### **15.5 Recorded Vote**

If 14 members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be recorded and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.



## **15.6 Recorded Vote at Annual Budget Meeting**

Voting in relation to the setting of the annual budget and precept, including motions and amendments, shall be by recorded vote. There shall be recorded in the Minutes of the meeting the names of those Members who cast a vote for the decision or against the decision or who abstained from voting.

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

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

## **15.8 Voting by Political Groups**

The pattern of voting by the Political Groups will be recorded for all decisions taken at Council meetings.

## **15.9 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. Alternatively, the Chairman/woman may determine that voting on appointment be by means of a ballot.

## **16. MINUTES**

### **16.1 Signing the Minutes**

The Chairman/woman will sign the minutes of the proceedings at the next suitable meeting. The Chairman/woman 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**

The minutes of any meeting shall be signed at the next ordinary meeting (but not at an extraordinary meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972).

## **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 Rules in Part 4 of this Constitution or Rule 20 (Disturbance by Public).

**19. MEMBERS' CONDUCT**

**19.1 Standing to Speak**

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

**19.2 Chairman/woman Standing**

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

**19.3 Member not to be Heard Further**

If a member persistently disregards the ruling of the Chairman/woman by behaving improperly or offensively or deliberately obstructs business, the Chairman/woman 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 Chairman/woman 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 Chairman/woman 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 Chairman/woman will warn the person concerned. If he/she continues to interrupt, the Chairman/woman will order his/her 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 Chairman/woman may call for that part to be cleared.

## **21. PHOTOGRAPHY AND AUDIO RECORDINGS OF MEETINGS**

The Council supports the principle of transparency and encourages filming, recording and taking photographs at its meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening, as it happens. These arrangements will operate in accordance with a protocol agreed by the Chairman/woman of the Council and political Group Leaders. This protocol will be published on the Council's website.

## **22. ELECTRONIC COMMUNICATION**

Where these Rules require that written notice is given to the Proper Officer, such notice will also be deemed to have been given if received by the Proper Officer by email or fax within the specified deadline.

## **23. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES**

### **23.1 Suspension**

All of these Council Rules of Procedure except Rules 15.6, 15.7 and 16.2 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.

### **23.2 Amendment**

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to be dealt with at the next ordinary meeting of the Council.