

Part 4

Rules of Procedure

Council Procedure Rules

1. **ANNUAL MEETING OF THE COUNCIL**

1.1 **Timing and business**

- (a) 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.
- (b) The Annual Meeting will:
- (i) elect a person to preside if the Mayor is not present;
 - (ii) elect the Mayor;
 - (iii) elect the Deputy Mayor;
 - (iv) approve the minutes of the last meeting;
 - (v) receive any announcements from the Mayor and/or Leader and/or Chief Executive;
 - (vi) appoint the Leader for a term of office which will end on the day when the Council holds its first annual meeting after the Leader's normal day of retirement as a Councillor. (In the event of failure to elect the Leader at the Annual Meeting the matter will need to be decided at the next ordinary meeting of the Council. In the event of the Leader retiring he/she will remain Leader until the next Annual Meeting as a Councillor following an ordinary election of the Council);
 - (vii) be notified by the Leader of the number of members he/she is appointing to the Cabinet, their names, portfolios and which of them is to be the Deputy Leader;
 - (viii) appoint at least one Overview and Scrutiny Committee, a Standards Committee, an Employment Procedure 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 (as set out in Part 3, Tables 1 and 2 of this Constitution);
 - (ix) 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 Table 4 of this Constitution);
 - (x) consider motions to confer the title of Honorary Freeman or Honorary Alderman of the City and District
 - (xii) consider any business set out in the notice convening the meeting.

1.2 **Selection of councillors on committees and outside bodies**

At the Annual Meeting, the Council will:

- (i) decide which committees to establish for the municipal year;
- (ii) decide the size and terms of reference for those committees;

- (iii) decide the allocation of seats to political groups in accordance with the political balance rules;
- (iv) receive nominations of councillors to serve on each committee and outside body; and
- (v) appoint to those committees and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet or Leader.
- (vi) A member of the Executive may not be appointed as Chairman of a Planning (Development Control) Committee including Planning Referrals Committee.
- (vii) No member shall be appointed as Chairman of any of the following (regulatory) committees for more than two consecutive terms of office*:
 - A Planning (Development Control) Committee, including Planning Referrals Committee
 - Audit Committee
 - Licensing & Regulatory Committee.

Any member having served as Chairman of any of these committees for two consecutive terms of office shall not be eligible for further appointment to continue as Chairman of the same committee until the expiry of two clear municipal years.

* means a period of 6 months or more. Any shorter period should be disregarded in the context of appointing Chairmen of Committees at an Annual Meeting of Council.

- (viii) Membership of Planning Referrals Committee should include the Chairs or Vice-Chairs of each of the Area Planning Committees. The Chair and Vice-Chair of Planning Referrals Committee should be members who are not Chairs or Vice-Chairs of any of the Area Planning Committees.
- (ix) All Members of a Planning Committee, and any Member substituting for another Member of a Planning Committee, are required to undertake a prescribed course of training as set by the Head of Planning & Building Control.
- (x) **As from 1 November 2018, all Members are required to attend training in the Member Code of Conduct within 3 months of the date they are first elected to the Council. Any Member affected by this Rule who fails to attend such training will cease to be eligible to serve on any Committee to which they have been appointed. This will apply until such time as the Member has undertaken the Code of Conduct training.**

2. **ORDINARY MEETINGS**

Ordinary meetings of the Council will take place in accordance with a programme decided at an ordinary meeting of Council each year. Ordinary meetings will:

- (i) elect a person to preside if the Mayor and Deputy Mayor are not present;
- (ii) approve the minutes of the last meeting;
- (iii) receive any declarations of interest from members;
- (iv) receive any announcements from the Mayor, Leader, members of the Cabinet or the Chief Executive;
- (v) receive questions from, and provide answers to, the public in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the District Council;
- (vi) deal with any business from the last Council meeting;

- (vii) receive reports from the Cabinet and the Council’s committees and receive questions and answers on any of those reports;
- (viii) receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (ix) receive Questions on Notice by Members;
- (x) consider motions submitted by Members;
- (xi) consider motions to confer the title of Honorary Freeman or Honorary Alderman of the City and District; and
- (xii) consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council’s budget and policy framework and reports of the Overview and Scrutiny Committees for debate.

3. **EXTRAORDINARY MEETINGS**

3.1 **Calling extraordinary meetings.**

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

- i) the Council by resolution;
- ii) the Mayor;
- iii) the Monitoring Officer; and
- iv) any five members of the Council if they have signed a requisition presented to the Mayor 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.

3.2. **Business**

The business that can be conducted at extraordinary meetings shall be restricted to the item(s) which have caused the meeting to be summoned, without prejudice to the power of the Mayor or, in his/her absence, the Deputy Mayor, to accept other items of business on grounds of urgency.

4. **APPOINTMENT OF REPLACEMENT MEMBERS OF COMMITTEES AND SUB-COMMITTEES**

In the event of a member of a committee being unable to attend one or more meetings, the Leader, Deputy, Secretary or Group Spokesperson of their political group may notify the Chief Executive or his representative at the start of the meeting that the member is to be replaced by another member of their group for that meeting, or for the balance of the municipal year, or such other period as may be specified.

Note: Wherever possible, advance written notice of the replacement should be provided, to assist the sending of meeting papers to replacement members.

4.1 Powers and duties

Replacement members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

4.2 Replacement

Replacement members may attend meetings in that capacity only:

- (i) to take the place of the ordinary member for whom they are the designated replacement, and
- (ii) where the ordinary member will be absent for the whole of the meeting.

5. **TIME AND PLACE OF MEETINGS**

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

6. **NOTICE OF AND SUMMONS TO MEETINGS**

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Chief Executive will send a summons in writing, signed by him or her by post, fax or e-mail to every member of the Council 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.

7. **CHAIR OF MEETING**

The person presiding at the meeting may exercise any power or duty of the Mayor. Where these rules apply to committee and sub-committee meetings, references to the Mayor also include the chairman of committees and sub-committees.

8. **QUORUM**

The quorum of a meeting will be one third of the whole number of members. During any meeting if the Mayor counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

9. **DURATION OF MEETING**

All meetings of the Council, except meetings where the summons states a different time, will commence at 7.00 pm.

9.1 Guillotine

The following procedure will not apply to meetings of planning (control) committees or appeals committees:

9.2 Interruption of the meeting

If the business of the meeting has not been concluded by 10.45 pm, a bell will be rung and the member speaking must immediately sit down. The Mayor must interrupt the meeting and call for the

vote immediately on the item under discussion. The vote will then be taken in the usual way without any further discussion.

9.3 **Motions and recommendations not dealt with**

If there are other motions or recommendations on the agenda that have not been dealt with by 10.45pm, they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way.

9.4 **Recorded vote**

If a recorded vote is called for during this process it will be taken immediately.

9.5 **Motions which may be moved**

During the process set out in Rules 9.1–9.3 above, the only other motions which may be moved are that a matter be withdrawn, or that a matter be delegated or referred to an appropriate body or individual for decision or report, or a motion to suspend the Rules of Procedure, to enable the meeting to continue beyond 10.45 p.m.

9.6 **Close of the meeting**

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

10. **QUESTIONS BY THE PUBLIC**

10.1 **General**

Members of the public may ask questions of the Leader, members of the Cabinet or chairs of committees at ordinary meetings of the Council. They also have the right to participate in question time at full Council meetings.

10.2 **Order of questions**

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

10.3 **Notice of questions**

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Executive no later than midday two working days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put.

Members of the public may ask questions of members of the Cabinet or chairs of committees at ordinary meetings of the Council. They also have the right to participate in question time at full Council meetings.

10.4 **Number of questions**

At any one meeting no person or organisation may submit more than one question and no more than two such questions may be asked on the same subject at the same meeting.

10.5 Time allowed for questions

The time allocated for questions by the public and replies shall not exceed one half-hour. Each questioner shall be allowed up to three minutes to put his/ her question.

10.6 Scope of questions

The Mayor shall normally reject a question if it:

- is not about a matter for which the Council has a responsibility or which affects the district;
- is defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information.

10.7 Record of questions

- (a) The Monitoring Officer, as proper officer will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection.
- (b) Copies of all questions will be circulated to all members and will be made available to the public attending the meeting.

10.8 Asking the question at the meeting

The Mayor will invite the questioner to put the question to the member 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.

10.9 Supplemental question

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Rule 10.6 above.

10.10 Written answers

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

10.11 Reference of question to Cabinet or a committee

Unless the Mayor decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Cabinet or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

11. **QUESTIONS BY MEMBERS**

11.1 On reports of the Cabinet or committees

A member of the Council may ask the Leader or the chair of a committee any question without notice upon an item of the report of the Cabinet or a committee when that item is being received or under consideration by the Council.

11.2 Questions on notice at full Council

Subject to Rule 11.4, a member of the Council may ask:

- the Mayor;
- the Leader;
- a member of the Cabinet;

or

- the chair of any committee or sub-committee

a relevant question on any matter in relation to which the Council has powers or duties or which affects the District. With regard to a question about an executive function, the Leader may respond personally or direct the question to the appropriate Cabinet Member.

11.3 Questions on notice at committees and sub-committees

Subject to Rule 11.4, a member of a committee or sub-committee may ask the chair of it a question on any matter in relation to which the Council has powers or duties or which affect the District and which falls within the terms of reference of that committee or sub-committee.

11.4 Notice of questions

A member may only ask a question under Rule 11.2 or 11.3 if either:

- (a) they have given notice by delivering it in writing or by email to the Chief Executive no later than 9.00am two working days before the meeting, i.e. on the working day preceding the day before the meeting; or
- (b) the question relates to urgent matters, they have the consent of the Mayor to whom the question is to be put and the content of the question is given to the Chief Executive by 10.00am on the day of the meeting.

11.5 Response

An answer may take the form of:

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

11.6 Supplementary question

A member asking a question under Rule 11.2 or 11.3 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.

12. **MOTIONS ON NOTICE**

12.1 **Notice**

Except for motions which can be moved without notice under Rule 13, written notice of every motion, signed by at least two members, must be delivered to the Chief Executive not later than 9.00 am, 7 working days before the date of the meeting. These will be entered in a book open to public inspection.

12.2 **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 they propose to move it to a later meeting or withdraw it.

12.3 **Scope**

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

12.4 **Emergency Motions**

Where a motion is submitted with less than the notice required under 12.1 above, the Mayor has discretion, after consulting the Chief Executive, to reject it.

12.5 **Mayoral discretion**

The Mayor has discretion with the consent of the Council to refer to the Cabinet or to a committee any motion, once proposed and seconded, whose subject matter falls within the terms of reference of that body, for consideration and report where appropriate.

13. **MOTIONS WITHOUT NOTICE**

The following motions may be moved without notice:

- (a) to appoint a chair 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, except a motion to amend a budget motion which must, other than in exceptional circumstances at the discretion of the Mayor, be delivered to the Chief Executive not later than midday on the day before the day of the meeting and must be accompanied by a statement that the statutory Chief Finance Officer has been asked to comment on the amendment;

- (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 20.3 or to exclude them from the meeting under Rule 20.4;
- (p) to give the consent of the Council where its consent is required by this Constitution.

14. **RULES OF DEBATE**

14.1 **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.

14.2 **Right to require motion in writing**

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

14.3 **Secunder's speech**

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

14.4 **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 made by the proposer of a motion may exceed five minutes and no other speech may exceed three minutes without the consent of the Mayor.

14.5 **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 (but see Rule 14.9(b) below);
- (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; and

- (f) by way of personal explanation.

14.6 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; or
 - (iv) to insert or add words as long as the effect of (ii) to (iv) is not to negate the motion.
- (b) After an amendment has been moved and seconded, the mover of the original motion shall signify whether he/she is willing to accept it. If so, it shall be incorporated into the motion and shall not be debated. If not, the mover shall state his/her reasons for not accepting the amendment.
- (c) Where more than one motion or amendment on a matter is to be moved, the Mayor may determine the order in which such motions or amendments are to be taken, and may determine that more than one motion or amendment be debated together.
- (d) If an amendment is not carried, other amendments to the original motion may be moved.
- (e) 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.
- (f) After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, after debate on the substantive motion put it to the vote.

14.7 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 which could be made as an amendment may be made.

14.8 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.

14.9 Right of reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.

- (b) If an amendment is moved, the mover of the original motion shall signify whether he/she is willing to accept it (Rule 14.6(b) above refers). He/she also has the right of reply at the close of any 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 or her amendment.

14.10 **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, and
- (h) to not hear further a member named under Rule 20.3 or to exclude them from the meeting under Rule 20.4.

14.11 **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; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, he or 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 Mayor thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

14.12. **Point of order**

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Council 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 Mayor on the matter will be final.

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

14.14 **Members speaking at a Planning Committee**

Any Member who wishes to speak on an application, and is not a Member of that Planning Committee, should be given a maximum of 5 minutes duration to do so, immediately after any public speakers and the Town/Parish Council(s).

15. **PREVIOUS DECISIONS AND MOTIONS**

15.1 **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 relates to a decision that has already been made by the Council and the notice of motion or amendment has been signed by at least one third of the Members of the Council.

15.2 **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 one third of the Members of the Council. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

16. **VOTING**

16.1 **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.

16.2 **Mayor's casting vote**

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

16.3 **Show of hands**

Unless a ballot or recorded vote is demanded under Rules 16.4 and 16.5, or is required by Rule 16.5A, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

16.4 **Ballots**

The vote will take place by ballot if six members present, or one-third of the members present as appropriate demand it. The Mayor will announce the numerical result of the ballot immediately the result is known.

16.5 **Recorded vote**

If six members present, or one-third of the members present as appropriate demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

16.5A **Statutory Requirement for a Recorded Vote**

At any budget decision meeting of the Council a recorded vote shall be taken on any motion or amendment relating to making a budget decision*. Immediately after a vote is taken relating to making a budget decision at a budget decision meeting of the Council there must be recorded in the Minutes of the proceedings of the meeting the names of the Members who cast a vote for the decision or against the decision and who abstained from voting.

(* **Note:** Under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 the term ‘budget decision’ will include the setting of the District Council’s budget and the setting of the Council Tax. This Standing Order will apply to any meeting of the Council at which votes are taken on the Council’s budget and/or Council Tax.)

16.6 **Right to require individual vote to be recorded**

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

16.7 **Voting on appointments**

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

17. **MINUTES**

17.1 **Signing the minutes**

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

17.2 **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.

17.3 **Form of minutes**

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

17.4 **Publication of Minutes**

Minutes will be published within 10 working days of the date of the meeting by the Monitoring Officer as proper officer incorporating the Chairman's comments if practicable.

18. **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.

19. **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 21 (Disturbance by Public).

20. **MEMBERS' CONDUCT**

20.1 **Standing to speak**

When a member speaks at full Council they must stand and address the meeting through the Mayor. If more than one member stands, the Mayor 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.

20.2 **Mayor standing**

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

20.3 **Member not to be heard further**

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

20.4 **Member to leave the meeting**

If the member continues to behave improperly after such a motion is carried, the Mayor may move that either the member leaves the meeting or that the meeting is adjourned for a specified period. The motion will be voted on without discussion.

20.5 **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.

21. **DISTURBANCE BY PUBLIC**

21.1 **Removal of member of the public**

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

21.2 **Clearance of part of meeting room**

If there is a general disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared.

22. **PUBLIC SPEAKING AT COMMITTEES**

22.1 This Rule shall apply to meetings of all Planning Committees and the Licensing and Regulatory Committee. It shall not apply to meetings of full Council, Overview and Scrutiny Committees and the Standards Committee unless the Council so determines.

22.2 **Speaking at Planning Committees**

Where either a Planning (Development Control) Committee or the Planning Referrals Committee of the Council is considering applications for planning permission and prior notice has been given to and approved by the Head of Planning and Building Control between 9am and 4.30pm on the Friday before the meeting, one member of the public in attendance at the meeting may, with the consent of the Chair, address the meeting in support of each application and one other member of the public may address the meeting by way of objection to each application. A representative of the relevant Town or Parish Council may also speak in support or objection to each application. Speaking slots will be a maximum of 3 minutes each in duration and will be prior to the determination of the application by the Committee concerned.

22.3 **Speaking at the Licensing and Regulatory Committee**

Where a person whose name appears on the local Register of Electors has given prior notice to the Monitoring Officer between 9.00am and 3.00pm on the day of the meeting of their wish to speak at a Committee meeting, that person may, with the consent of the Chair, address the meeting for up to three minutes prior to the consideration of the agenda item by the Committee. There shall be a maximum of six speakers per meeting.

23. **PUBLIC PETITIONS AT MEETINGS OF THE COUNCIL**

23.1 A petition may be lodged with the Chief Executive either on paper or in an electronic format. Where a petition is received not less than 10 clear working days before the date of an ordinary Council meeting or not less than 5 clear working days before the date of an extraordinary Council meeting and is found on examination to contain signatures appearing to be those of no fewer than 500 persons then, providing it is relevant to some matter in relation to which the Council has powers or duties, the Chief Executive shall report to the Council meeting at which the petition is presented, unless it is a petition asking for a senior Council officer to give evidence at a public meeting. One signatory from among those who have signed the petition shall be permitted to address the Council meeting at which the petition is presented for up to five minutes. Council will then discuss the petition up to a maximum period of 15 minutes. Where the petition relates to an item on the Agenda of the Council meeting at which the petition is reported the Mayor may move that the petition is discussed during the debate on that item. The Council will decide how to respond to the petition at this meeting.

- 23.2 Where a petition is lodged with the Chief Executive either on paper or in an electronic format not less than 10 clear working days before the date of an ordinary Council Meeting or not less than 5 clear working days before the date of an extraordinary Council Meeting and is found on examination to contain signatures appearing to be those of not fewer than thirty persons whose names appear in the current Register of Electors for the District, providing it is relevant to some matter in relation to which the Council has powers or duties, the Chief Executive shall report to the Council Meeting at which the petition is presented and one signatory from among those qualified above shall be permitted to address the Council Meeting at which the petition was presented for up to three minutes and there shall be no Council discussion.
- 23.3 The response of the Council to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:
- taking the action requested in the petition
 - considering the petition at a Council meeting
 - holding an inquiry into the matter
 - undertaking research into the matter
 - holding a public meeting
 - holding a consultation
 - holding a meeting with petitioners
 - referring the petition for consideration by one of the Council's Overview and Scrutiny Committees
 - calling a referendum
 - writing to the petition organiser setting out the views of the Council about the request in the petition.
- 23.4 Following consideration of a petition at a Council Meeting the petition organiser will be notified in writing of the steps the Council intends to take and this notification will be published on its website.

24. **SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES**

24.1 **Suspension**

All of these Council Rules of Procedure except Rules 16.5A, 16.6 and 17.2 may be suspended by motion on notice or without notice if at least two-thirds of the whole number of members of the Council are present and the motion is approved by a majority of two-thirds of those voting. Suspension can only be for the duration of the meeting.

24.2 **Amendment**

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

25. **APPLICATION TO COMMITTEES AND SUB-COMMITTEES**

All of the Council Rules of Procedure apply to meetings of Full Council.
Rules 5-24 (but not Rule 10.1 or 20.1) apply to meetings of committees and sub-committees.
The first sentence of Rule 8 shall not apply to meetings of the Planning Policy Committee where the quorum is 6 members.

Rule 9.1 – 9.6 will not apply to meetings of Planning (Development Control) Committees, Planning Referrals Committee or the Appeals Committee.

Rule 15 shall not apply to meetings of Planning (Development Control) Committees or Planning Referrals Committee.

The Rules applicable to meetings of the Cabinet are set out in the Executive Procedure Rules.