

COUNCIL PROCEDURE RULES

1. Annual Meeting of the Council

1.1 Timing and Business

The Annual Meeting of the Council shall be held:

- (a) in a year when there is an ordinary election of councillors, within 21 days following the retirement of the outgoing councillors;
- (b) in any other year, on such day in the month of March, April or May as the Council may fix.¹

The order of business at the Annual Meeting will be:

- (a) to elect a person to presides if the Chairman and Vice-Chairman are absent, with such a person not being a member of the Executive;
- (b) receive apologies for absence;
- (c) receive any declarations of interest from councillors;
- (d) to elect a Chairman and Vice-Chairman;
- (e) to approve the minutes of the last meeting;
- (f) to receive any announcements or communications from the Chairman and/or the Chief Executive;
- (g) to elect the Leader of the Council only where the Leader's term of office has expired or where the office of Leader is vacant;
- (h) to note the Members of the Executive as appointed by the Leader of the Council (only when the Members of the Executive's terms of office have expired or where there is a vacancy amongst the members of the Executive);
- (i) to report regarding the discharge of executive functions for the year ahead;
- (j) to appoint committees and to appoint Chairs and Vice-Chairs of committees for the municipal year in accordance with 1.2 below;
- (k) to approve the calendar of meetings for the municipal year;
- (l) to appoint Members to outside bodies for the municipal year;

¹ Schedule 12 para 1(2)Local Government Act 1972

(m) other business specified in the agenda.

1.2 Selection of councillors on committees, other meetings and outside bodies

At the annual meeting, the Council will

- (a) decide which committees to establish for the municipal year including the size of those committees;
- (b) decide the allocation of seats to political groups in accordance with the political balance rules;
- (c) appoint councillors to service on each committee including the Chairman and Vice Chairman and substitute councillors who may exercise the powers set out in rule 28 of these rules.
- (d) appoint to those committees and outside bodies except whether appointments to this bodies have been delegated by the council or are exercisable by the Executive;

Before the Annual Meeting of the Council, and at any other time that a review of the allocation of seats is required, the Chief Executive shall consult Group Leaders on the membership of committees and report to the Annual or next following meeting of the Council. Such consultations and report shall determine the allocation to the different political groups and recommend such appointments to give effect to the wishes of the political groups.

A political group shall contain a minimum of two councillors in order to be recognised for proportionality. The group leaders will notify the Chief Executive in writing of the membership of each group.

1.3 Dissolution of Committees and Sub-Committees

Any Committee or Sub-Committee may be dissolved by the Council at any time save that the Council must have at least one Overview and Scrutiny Committee.

2. Ordinary Meetings

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

- (a) elect a person to preside if the Chairman and Vice-Chairman are not present;
- (b) receive apologies for absence;
- (c) receive any declarations of interest from councillors;

- (d) approve the minutes of the last meeting;
- (e) receive any communications that the Chairman, Leader or Chief Executive may wish to give councillors;
- (f) receive any announcements from the Chairman, Leader and Members of the Executive or the Chief Executive;
- (g) receive any petitions;
- (h) receive questions from and provide answers to the public in relation to any questions submitted in accordance with Rule 10.1;
- (i) receive and answer questions submitted by councillors, in accordance with Rule 11.2
- (j) receive reports from the Executive and receive questions and provide answers on any of those reports;
- (k) receive reports from the Council's committees and receive questions and provide answers on any of those reports;
- (l) consider motions;
- (m) consider any other business specified in the summons to the meeting;
- (n) receive any reports that the Chief Executive, Monitoring Officer or Section 151 Officer consider appropriate.
- (o) deal with any business required by statute to be done;
- (p) dispose of business (if any) remaining from the last meeting;
- (q) receive reports about and receive questions and provide answers on the business of joint arrangements and external organisations;

3. Extraordinary Meetings

3.1 Calling Extraordinary Meetings

The Chief Executive may call an Extraordinary Meeting of the Council. In addition those listed below may request the Chief Executive to call Council meetings in addition to Ordinary meetings:

- (a) the Council by resolution;
- (b) the Chairman of the Council;
- (c) the Leader;

- (d) the Monitoring Officer;
- (e) Chief Finance Officer; and
- (f) any four members of the Council if they have signed a requisition presented to the Chairman of the Council and the Chairman of the Council has refused to call a meeting or has failed to call a meeting within seven clear working days of the presentation of the requisition.

3.2 Business

The summons to an extraordinary meeting of the Council shall set out the business to be considered thereat and no business other than that set out in the summons shall be considered at that meeting.

4. Time and place of meetings

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

5. Notice of and summons to meetings

The Chief Executive will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules. At least five clear working days before a meeting, the Chief Executive will send a summons signed by them 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.

6. Chairman of meeting

The person presiding at the meeting may exercise any power or duty of the Chairman. Any power or duty of the Chairman in relation to the conduct of the meeting may be exercised by the Vice Chairman, or in the absence of the Vice Chairman, the person elected to preside at the meeting. Where these rules apply to committee and sub-committee meetings, references to the Chairman also include the Chairs of committees and sub-committees.

7. Quorum

The quorum of a meeting will be one quarter of the whole number of Members entitled to attend. During any meeting if the Chairman counts the number of councillors 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. If they do not fix a date, the remaining business will be considered at the next Ordinary meeting of the Council.

8. Quorum of committees

The quorum for a committee is one quarter of the whole number of the

committee but shall not be less than three voting councillors.

9. Duration of meeting

Unless the majority of councillors present vote for the meeting to continue, any meeting that has lasted for three hours will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next Ordinary meeting.

10. Questions by the public

10.1 General

Members of the public may ask questions of the Chairman, Leader of the Council, Executive Member or Chair of a committee at Ordinary meetings of the Council during a period of up to 30 minutes set aside for the purpose.

10.2 Order of questions

Questions will be asked in the order notice of them was received, except that the Chairman 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 noon six clear working days before the day of the meeting.

10.4 Number of questions

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

10.5 Scope of questions

Each question must provide the following information:

- Name and address and contact details of the person asking the question;
- The name of an 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 the question is directed to;

The Chief Executive may reject a question if it:

- is not about a matter for which the local authority 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 unless there has been a material change of circumstances;
- relates to any existing or proposed application, permission, licence, consent, benefit, grant or enforcement action; or
- requires the disclosure of confidential or exempt information.

10.6 Record of questions

The Chief Executive will immediately send a copy of the question to the councillor to whom it is to be put. Rejected questions will include reasons for rejection and the questioner will be so informed.

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

10.7 Asking the question at the meeting

The Chairman will invite the questioner to put the question, If a questioner who has submitted a written question is unable to be present, they may ask the Chairman to put the question on their behalf. The Chairman 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.

10.8 Supplementary question

A questioner who has put a question in person may also put one supplementary question without notice to the person who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chairman may reject a supplementary question on any of the grounds in Rule 10.5 above.

10.9 Written answers

Any question which cannot be dealt with during public question time, because of lack of time or because of the non-attendance of the councillor to whom it was to be put, or because the answer is more conveniently given in writing will be dealt with by a written answer.

10.10 Discussion

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

10.11 Public question time

Public question time will be limited to 30 minutes in total; each questioner will be allocated not more than 5 minutes, 3 minutes for the original question and 2 minutes for one supplementary question. The response to any question will not exceed 3 minutes for the initial question and 2 minutes for a supplementary question.

10.12 Presentations

At the discretion of the Chairman, representatives of partner organisations, or potential partner organisations, may be invited to give presentations and answer questions, in relation to a specific item on the agenda.

11. Questions by councillors

11.1 On reports of the Executive or committees

A councillor may ask the Leader, Executive Member or Chair of a committee any question, without notice, upon an item relevant to their responsibilities. The Leader, Executive Member or Chair of a committee shall each have no more than 10 minutes to respond to such questions and any supplementary questions that may be asked.

Each Councillor may ask of each post-holder no more than one question and a related supplementary question.

11.2 Questions on notice at the Council

Subject to Rule 11.4, a councillor may ask:

- the Chairman;
- the Leader;
- an Executive Councillor; or
- the Chair of any committee

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

11.3 Questions on Notice at committees and sub-committees

Subject to Rule 11.4 below a councillor who is 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 and which fall within the terms of reference of that committee or sub-committee.

11.4 Notice of questions

A councillor may only ask a question under Rule 11.2 if either:

- (a) they have given at least three clear working days notice in writing or by electronic mail of the question to the Chief Executive; or
- (b) the question relates to urgent matters, they have the consent of the Chairman and the content of the question is given to the Chief Executive by noon on the day of the meeting.

11.5 Response

An answer to a question under Rule 11.1, 11.2 and 11.3 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 all members of the Council.

11.6 Supplementary question

A councillor asking a question under Rule 11.2 may ask one supplementary question, without notice, of the councillor to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.

12. Petitions

The Council will determine how to deal with or otherwise respond to the petition.

13. Motions on notice

13.1 Notice

Except for motions which can be moved without notice under Rule 14, written notice of every motion, signed by at least five councillors, must be delivered to the Chief Executive at least seven clear working days before the date of the meeting.

13.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda in the order in which the notice was received, unless the one of the five councillors who are signatories for the motion, giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

13.3 Scope

Motions must be about matters for which the Council has a responsibility or which affect the District and should not concern a matter that has been before Council within the preceding six months unless there has been a material change of circumstances.

13.4 Reference of motion to Executive or committee

Motions for which notice has been given under 13.1 shall, upon being moved and seconded, stand referred to the Executive or committee as the Council may determine for consideration and report, unless the Chairman considers it convenient and conducive to the dispatch of business to allow the motion to be dealt with at the meeting at which it is brought forward.

Where a motion stands referred, the mover shall not speak until the report on the motion comes before the Council. The Executive or committee shall report back to the next Ordinary meeting of the Council or such other meeting as it may advise, and the report shall advise the Council whether or not the motion should be adopted or give such other advice as is appropriate.

14. Motions without notice

The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a committee or councillor 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 hold a recorded vote;
- (j) to proceed to the next business;
- (k) to put a question to the vote;
- (l) to adjourn a debate;
- (m) to adjourn a meeting;

- (n) to continue the meeting beyond 3 hours in duration – see Rule 9;
- (o) to extend the time limit for questions or speeches;
- (p) to suspend a particular Council Procedure Rule;
- (q) to exclude the public and press in accordance with the Access to Information Procedure Rules;
- (r) to not hear further a councillor named under Rule 23.3 or to exclude them from the meeting under Rule 23.4; and
- (s) to give the consent of the Council where its consent is required by this Constitution.

15. Rules of debate

15.1 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.

15.2 Right to require motion in writing

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

15.3 Seconders' speech

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

15.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Chairman. The time limit is not applicable to the annual 'State of the Area Address', the Budget Speech and budget proposals by the opposition or the responses given to them. The Chair's statement at committee shall not exceed 10 minutes.

15.5 When a councillor may speak again

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

- (a) to speak once on an amendment moved by another councillor;

- (b) to move a further amendment if the motion has been amended since he/she last spoke;
- (c) if his/her first speech was on an amendment moved by another councillor, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (d) in exercise of a right of reply (see Rule 15.9);
- (e) on a point of order (see Rule 15.12); and
- (f) by way of personal explanation (see Rule 15.13).

15.6 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) 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, provided notice thereof is given before debate on the previous motion is closed..
- (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 will accept any further amendments, or if there are none, put the substantive motion to the vote.
- (f) For the purposes of this paragraph, the debate shall be deemed to be closed when the mover of the motion starts to reply to the debate.

15.7 Alteration of motion

- (a) A councillor 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 councillor may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

15.8 Withdrawal of motion

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

15.9 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 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 or her amendment.

15.10 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) to put the question to the vote;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) to continue the meeting beyond 3 hours in duration – (Rule 9 above refers);

- (h) to exclude the public and press in accordance with the Access to Information Procedure Rules; and
- (i) to not hear further a councillor named under Rule 23.3 or to exclude them from the meeting under Rule 23.4.

15.11 Closure motions

- (a) A councillor may move, without comment, the following motions at the end of a speech of another councillor:
 - (i) to proceed to the next business;
 - (ii) to put the question to the vote;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Chairman 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 to put the question to the vote is seconded and the Chairman 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 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.

15.12 Point of order

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

15.13 Personal explanation

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

16. State of the Area Address

(a) Nature of Address

The Leader may make a 'State of the Area Address' annually on a date and in a form to be agreed, normally at the June Council meeting.

(b) Form of Address

The Leader will decide the form of the Address, with the aim of enabling the widest possible public discussion and publicity. This may include holding workshops and other events. The Leader will also attend the first convenient meeting of the Policy Review Committee after the Address has been given to Council, answer questions on the Address, and consider the formal response of that committee in due course.

(c) Results of consequent discussions and deliberations:

The results will be:

- (i) reported to the Policy Review Committee;
- (ii) disseminated as widely as possible within the community and to agencies, organisations and the Council's key partnerships; and
- (iii) used as the basis for the proposed budgetary and policy framework which the Leader proposes to Council for the coming year.

17. Themed debate

The agenda for an Ordinary meeting of the Council may contain an item for consideration of a particular theme or subject on any matter within the Council's powers or duties or which affects the District. The Chairman may move that the Council Procedure Rules be suspended (in accordance with Rule 25.1 (Suspension) and Rule 25.2 (Amendment of Council Procedure Rules) to enable a speaker (who need not be a councillor) to address the Council on the theme or subject, and to deal with questions or comments either from councillors or from the public.

18. Previous decisions and motions

18.1 Motion to rescind a previous decision

A motion or amendment to rescind a decision made at a meeting of the Council within the past six months cannot be moved unless the notice of motion is signed by at least five councillors.

18.2 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 five councillors. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment within a further period of six months.

19. Voting

19.1 Majority

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

19.2 Casting Vote

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

19.3 Show of hands

Unless a recorded vote is demanded under Rule 19.4, the Chairman will take the vote by a show of hands, or if there is no dissent, by the affirmation of the meeting.

19.4 Recorded vote

Where a recorded vote is required in accordance with paragraphs (a) or (b) below then the minute of the proceedings shall include a record of the names of persons who cast a vote for the decision or against the decision or who abstained from voting.

A recorded vote is required in the following circumstances:

- (a) Any vote required to be recorded by law², or;
- (b) Any vote where, before the vote is taken on any matter before Council, any five of the Councillors present at the meeting demand that the votes are recorded.

² The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 introduced a requirement for recording votes on budget meetings

19.5 Right to require individual vote to be recorded

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

19.6 Voting on appointments

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

20. Minutes

20.1 Signing the minutes

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

20.2 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 paragraphs 41(1) and (2) of schedule 12 relating to signing of minutes.

20.3 Form of minutes

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

21. Record of attendance

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

22. Exclusion of public

Members of the public and press may only be excluded either in accordance

with the Access to Information Procedure Rules in Part 4 of this Constitution or Rule 24 (Disturbance by the public).

23. Councillors' conduct

23.1 Standing to speak

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

23.2 Chairman standing

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

23.3 Councillor not to be heard further

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

23.4 Councillor to leave the meeting

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

23.5 General disturbance

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

24. Disturbance by the public

24.1 Removal of a member of the public

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

24.2 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 may call for that part to be cleared.

25. Suspension and amendment of Council Procedure Rules

25.1 Suspension

All of these Council Procedure Rules except Rules 19.5 and 22 may be suspended by motion on notice or without notice if carried by a majority of the councillors present at the meeting. 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 other than as a general review of the Constitution..

26. Audio/Visual Recording and Photography at Meetings

26.1 Any person wishing to recording a council meeting either visually or through audio or take photographs at a meeting must abide by the Protocol on Audio/Visual Recording and Photography at Meetings outlined in Part 5.8 of this constitution.

27. Application to committees and sub-committees

Unless a more specific meaning is explicit or implied by its context, reference to a committee throughout the Constitution shall be taken to mean any body of councillors appointed for a lawful purpose to undertake business on behalf of the Council, including but not only, committees, sub-committees, boards and working groups.

All of the Council Procedure Rules apply to meetings of the Council. None of the rules apply to meetings of the Executive. Only Rules 5, 6, 8, 9, 11, 12, 14, 15, 19, 20 - 25, 27, 28 and 31 apply to meetings of committees and sub-committees³. Rules 15.1 and 15.6 (a) do not apply to meetings of the Planning Committee.

A Councillor who is not a member of a committee or sub-committee may attend any meeting but may only speak (but not vote) at the discretion of the Chair of the committee or sub-committee.

28. Role of a committee Chair and Vice-Chair

³ Subject to Article 12.9 – procedures may be adjusted in regulatory committees to ensure a fair hearing.

- (a) To chair meetings of the Council's committees so that the business of those committees can be carried out effectively and with regard to the rights of councillors and in the interest of the community.
- (b) To ensure that the provisions of the Constitution in relation to the conduct of meetings are observed.

29. Appointment of substitute members of committees and sub-committees

29.1 (a) Powers and duties

Substitute councillors will have all the powers and duties of any ordinary member of a committee or sub-committee but will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting.

(b) Substitution

Substitute councillors may attend meetings in that capacity only:

- (i) where the Councillor who is giving apologies has notified the Democratic Services team before the commencement of the meeting of the intended substitution; and
- (ii) to take the place of the ordinary councillor for whom they are the substitute; and
- (iii) where the ordinary councillor will be absent for the whole of the meeting.

30. Right to attend meetings by non-members of committees or sub-committees

- (a) Any councillor can attend any committee or sub-committee meeting as of right but must sit apart from the body of the meeting and take no part.
- (b) Councillors who wish to speak on an item should declare this and may speak with the Chair's consent. The consent of the Chair will not be unreasonably withheld. If permission is granted the councillor will be allowed to speak after any presentation, but before the debate. The councillor will be allowed to speak for no more than five minutes.
- (c) Councillors who wish to speak on an item specifically related to the ward they represent will be allowed to participate in the debate as non-voting councillors for that specific item unless the law prevents them from so participating. (The Chief Executive will rule on any question concerning the relevance of items to specific wards).

30. Public involvement at committees

Where, in the opinion of the Chair, it is of value to a committee to hear relevant views from members of the public in relation to a specific item on the agenda, those views may be heard after any presentation by an officer on the item, but before the debate by councillors. Any person wishing to speak must gain permission from the Chair and will only be permitted to speak on each item for a maximum of five minutes, any variation to be at the discretion of the Chair.

31. Withdrawal from the meeting due to a Disclosable Pecuniary Interest

Where a Councillor (or co-opted member) has a disclosable pecuniary interest (as defined from time to time by regulations) that Councillor (or co-opted member) must withdraw from the meeting room, including from the public gallery, during the whole consideration of the relevant item of business, except where they are permitted to remain as a result of the grant of a dispensation.