

Rules of procedure

Part 4

[ADVISORY NOTE: All of the Council Rules of Procedure apply to meetings of full Council. They shall apply, where appropriate and with any necessary modification, to the business of and conduct of meetings of the Executive, Committees, Sub-Committees and Panels, with the exception of Rule 14.5 (when a member may speak again).]

Part 4 Council Rules of procedure

- 1. Annual meeting of the Council**
- 2. Ordinary meetings**
- 3. Extraordinary meetings**
- 4. Appointment of substitute members of committees and sub-committees**
- 5. Time and place of meetings**
- 6. Notice of and summons to meetings**
- 7. Chairman of meeting**
- 8. Quorum**
- 9. Adjournment of meeting**
- 10. Questions by the public and Presentation of Petitions**
- 11. Questions by members**
- 12. Notices of Motion**
- 13. Motions without notice**
- 14. Rules of debate**
- 15. Informal Meetings of the Council**
- 16. Previous decisions and motions**
- 17. Voting**
- 18. Minutes**
- 19. Record of attendance**
- 20. Exclusion of public**
- 21. Members' conduct**
- 22. Disturbance by public**
- 23. Rights of Councillors to attend Executive, Committee, Sub-Committees**
- 24. Suspension and amendment of Council Procedure Rules**

1.0 ANNUAL MEETING OF THE COUNCIL

1.1 Timing and business

Leader and Executive

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.

The annual meeting will:

- a. elect a person to preside if the Mayor is not present;
- b. elect the Mayor;
- c. elect the Deputy Mayor;
- d. approve the minutes of the last meeting;
- e. receive any announcements from the Mayor and/or head of the paid service;
- f. elect the Leader for a four year period;
- g. appoint Overview and Scrutiny Committees, a Standards Panel 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 of this Constitution);
- h. agree the scheme of delegation or such part of it as the Constitution determines it is for the Council to agree;
- i. receive a programme of ordinary meetings of the Council for the year; and
- j. 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 and substitutes to political groups in accordance with the political balance rules;
- (iv) receive nominations of councillors to serve on each committee;

- (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 Executive.

2.0 ORDINARY MEETINGS

Ordinary meetings of the Council will take place in accordance with a programme decided by the Executive. Ordinary meetings will:

- (i) elect a person, who may not be a member of the Executive, 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 Executive or the Chief Executive;
- (v) receive petitions and 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 meeting;
- (vi) deal with any business remaining from the last Council meeting;
- (vii) receive reports from the Executive 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) consider motions; and
- (x) consider any other business specified in the summons to the meeting, including consideration of proposals from the Executive in relation to the Council's budget and policy framework and the annual reports of the Overview and Scrutiny Committees for debate.

3.0 EXTRAORDINARY MEETINGS

3.1 Calling extraordinary meetings

Those listed below may request the Chief Executive 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.

4.0 APPOINTMENT OF SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES

4.1 Allocation

As well as allocating seats on committees, the Council will allocate seats in the same manner for substitute members.

4.2 Number

For each committee, the Council will appoint the agreed number of substitutes in respect of each political group in proportion to the number of ordinary seats as that group holds on that committee, Sub-Committee or Panel.

4.3 Powers and duties

Substitute 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 for whom they are substituting.

4.4 Substitution

The following procedure will apply to the appointment of substitutes when members are not able to attend a meeting of a Committee or Sub-Committee, including in the case of a vacancy:

- (a) The member unable to attend a Committee or Sub-Committee meeting will submit their apologies to the Head of Policy and Governance at least four clear working days in advance of the meeting to enable a substitute to be arranged, if applicable [eg. by the end of Wednesday for a meeting the next Wednesday].
- (b) The Head of Policy and Governance will then approach substitutes from the appropriate political group in the order agreed by the Council or the parent Committee.
- (c) Substitute members must be from the same political group as the member giving the apology, and in the event that no substitute is available, no substitute will be made for that member.
- (d) The Head of Policy and Governance will notify the Committee or Sub-Committee of any substitutions at the start of the meeting.

- (e) Substitutes shall exercise the full voting rights of a member of a Committee or Sub-Committee when attending a Committee or Sub-Committee meeting.
- (f) For the Joint Planning Committee, all members of the Area Planning Committees who are not already members will be listed as substitutes and a substitute will be called from the same Area Planning Committee as the member giving their apology from the Joint Planning Committee.
- (g) Substitute members shall be eligible for payment of travelling and subsistence allowances.
- (h) Members on substitute lists will be sent the full agenda for meetings.

There are no substitute members appointed to the Audit Committee, Executive and Area Planning Committees.

5.0 TIME AND PLACE OF MEETINGS

The time and place of meetings will be determined by the Head of Policy and Governance and notified in the summons.

6.0 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 working days before a meeting, the Chief Executive will send a summons signed by him or her by post 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 at the time of despatch.

7.0 CHAIRMAN OF MEETING

The chairman presiding at the meeting may exercise any power or duty of the Mayor.

8.0 QUORUM

The quorum of a meeting will be one quarter of the whole number of members (for the Council meeting this means 15 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.

9.0 ADJOURNMENT OF MEETING

Meetings of the Council should normally finish by 10.00 p.m. but, at a convenient time before then, the Mayor shall put to the meeting the options of:

- (i) agreeing to a half hour extension to 10.30 p.m., at which time the meeting shall stand adjourned; or
- (ii) continuing the meeting until the Council has concluded its consideration of the Agenda; or
- (iii) adjourning the meeting.

No business other than that set out in the Agenda shall be discussed at any adjourned meeting.

10.0 QUESTIONS BY THE PUBLIC

10.1 General

Members of the public who have a legitimate interest in the Borough, by way of work or residency, may ask a question at ordinary meetings of the Council, Executive and Committees. Questions by the public will not be included as an item on agendas for Special or Extraordinary meetings. Questions may be informal or formal.

Informal questions

- 10.2 Informal questions may be asked of the Executive before the start of ordinary meetings of Full Council and the Executive for up to 15 minutes, including replies. No notice needs to be given.
- 10.3 Questions will be taken in the order in which questioners register with the Democratic Services Officer prior to the start of question time. When read out, each questions must be concluded within 2 minutes. In the event that it is not possible to give a verbal response, a written response will be provided following the meeting.

Formal questions

10.4 Notice of formal questions

A formal question may only be submitted if notice has been given by delivering it in writing or by electronic mail to the Head of Policy and Governance no later than close of business (5.00pm), 4 clear working days before the day of the meeting. Each question must give the name and address of the questioner.

10.5 Order of questions

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

10.6 Number of questions

At any one meeting no person may submit more than 1 written question and no more than 1 such question may be asked on behalf of one organisation.

10.7 Scope of questions

The Chief Executive may reject a question if it:

- is not a matter in relation to which the Council has powers or duties or which affects the Borough;
- 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;
- requires the disclosure of confidential or exempt information; or
- is not substantially in the form of a question, or the length of the preamble is disproportionate to the question.

10.8 Record of formal questions

The Chief Executive will immediately send a copy of the question to the Chairman of the Executive and relevant Portfolio Holder. Where the Chief Executive recommends that the question be rejected, reasons for rejection will be stated.

Copies of all questions and answers will be circulated and made available to councillors and the public attending the meeting. All formal questions submitted will receive a prepared answer.

10.9 Reference of question to the Executive or 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 Executive or the appropriate named Committee or Sub-Committee. Once seconded, such a motion will be voted on without discussion.

Petitions

10.10 Presentation of petitions

Members of the public can submit petitions electronically through the Waverley website or in hard copy addressed to the Chief Executive. The petition will be dealt with in accordance with the Waverley Petition Scheme, a copy of which is attached as **Annexe 1**.

11.0 QUESTIONS BY MEMBERS

11.1 On reports of the Executive

A member shall not speak more than once on the same motion or amendment, but the mover of any motion may reply to the debate on the motion, or any amendment thereof, and in his reply shall strictly confine himself to answering statements or arguments made in the course of debate and shall not introduce any new matter into the debate.

11.2 Questions on notice at full Council

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

- the Mayor;
- a member of the Executive;
- the Chairman of any Committee or Sub-Committee

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

11.3 Questions on notice at Committees and Sub-Committees

Subject to Rule 11.4, any member of the Council may ask the Chairman of it a question on any matter in relation to which the Council has powers or duties or which affects the Borough and which falls within the terms of reference of that Committee or Sub-Committee.

Any question put under this rule shall be read out by the member without comment or elaboration and shall be answered without discussion or further question, but the person to whom a question has been put, if for any reason he is unable to answer at the meeting, may undertake to send a written answer to the member asking the question and to any other member on request.

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 at least 4 clear working days' notice in writing of the question to the Head of Policy and Governance; or
- (b) the question relates to urgent matters that are not already included on the agenda, they have the consent of the Chairman to whom the question is to be put and the content of the question is given to the Head of Policy and Governance by noon 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.

A record of all questions asked and answers given in accordance with this rule shall be included in the minutes of the proceedings of the Council.

12.0 NOTICES OF MOTION

12.1 Notice

Except for motions which can be moved without notice under Rule 13, written notice of every motion, signed by the member or members of the Council giving the notice, must be delivered to the Head of Policy and Governance at least seven clear working days before the date of the meeting.

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 affect the Borough.

- (a) If the subject matter of any motion of which notice has been duly given comes within the province of any Committee or Committees or the Executive (including any relevant Sub-Committees) it shall, upon being moved and seconded, stand referred without further discussion to the Executive, or the relevant Committee or Committees for consideration and report and a statement to this effect shall be included in the summons for the meeting of the Council.
- (b) The Leader of the Council may, if he/she considers it convenient and conducive to the despatch of business, allow the motion to be dealt with at the meeting at which it is brought forward and a statement to this effect shall be included in the summons for the meeting of the Council.
- (c) Where a motion is referred to the Executive or a Committee or Committees (including Sub-Committees) it shall be dealt with in the business of that Committee or Sub-Committee or the Executive. The relevant Committee or the Executive shall set out the wording of the motion in its report to the next ordinary meeting of the Council after its consideration of the motion and shall include in that report its recommendation on the subject matter of the motion. For the avoidance of doubt, discussion on the item in the report of the committee or Executive dealing with the motion shall be upon the recommendation of

the committee and not upon the motion or the wording of the motion itself, but the mover of the motion shall have the right to speak first when the appropriate item in the report of the committee or committees is reached. The mover shall also have the right to reply to points raised during the debate and for this purpose to speak last but one, the final right of reply to remain with the Chairman of the Committee or Executive or other member who has moved the reception of the report.

In the event of the recommendation of the Committee or Sub-Committee not being adopted, the original motion shall become the substantive motion.

13.0 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) motions in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) remission of business to a Committee or the Executive;
- (e) to refer a matter to an appropriate body or individual;
- (f) to appoint a Committee or member where the need arises from an item on the summons for the meeting;
- (g) to receive minutes or to adopt recommendations of committees or officers and any resolutions following from them;
- (h) to withdraw a motion;
- (i) to amend a motion;
- (j) to proceed to the next business;
- (k) that the question be now put;
- (l) to adjourn a debate;
- (m) to adjourn a meeting;
- (n) that the meeting continue beyond 10.00 p.m. (if rule 9 is used);
- (o) to suspend procedure rule 14.4, for which reasons must be given;
- (p) to exclude the public and press in accordance with the Access to Information Rules;

- (q) to not hear further a member named under Rule 21.3 or to exclude them from the meeting under Rule 21.4; and
- (r) to give the consent of the Council where its consent is required by this Constitution.

14.0 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 will 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 may exceed four minutes without the consent of the Mayor, except in the case of proposers of a motion or an amendment, or those having a right of reply when they may not exceed six minutes. There shall be no time limit for the Leader of the Council in moving the Budget at the Council Tax setting meeting. The Finance Portfolio Holder, the Leader of the Principal Opposition Group and the Leader of any other Opposition Group with 5 or more members should have up to 10 minutes each.

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;
- (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 the Executive or a Committee 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, unless in the opinion of the Mayor this would help the Council conduct its business. Where the Mayor so permits this, they may be discussed (but not voted on) together.
- (c) If an amendment be lost, other amendments may be moved on the original motion. If an amendment be carried, other than one to refer the subject of debate to a Committee or the Executive for consideration or reconsideration, the motion or recommendation as amended shall take the place of the original motion or recommendation and shall become the motion or recommendation upon which any further amendment may be moved.
- (d) After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

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 the seconder and the Council. 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 amendment has the right of reply at the close of the debate on the amendment and to speak last but one for that purpose, the final right of reply to remain with the mover of the original motion.
- (c) In exercising his right of reply, a Member shall strictly confine himself to answering statements or arguments made in the course of debate and shall not introduce any new material.

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) that the meeting continue beyond 10.00 p.m. if Rule 9 is used;
- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) to not hear further a member named under Rule 21.3 or to exclude them from the meeting under Rule 21.4.

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) on a motion to proceed to next business

The Mayor shall first put that formal motion to the vote without discussion and if it is passed then the Council shall immediately proceed to the next item of business which shall, in the case of a report of a Committee, be the next item on that report and any motions or amendments relating to such item then before the Council shall be deemed to be lost.

(c) on a motion that the question be now put

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) on a motion to adjourn the debate or the meeting

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 and shall not be open to discussion.

14.13 Personal explanation

A member may make a point of 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 and shall not be open to discussion.

14.14 Statements/Questions on Part II of Executive or Committee Minutes

There shall be no debate on any item contained in Part II of the minutes of the Executive or Committee, but Members may give notice in writing, e-mail or telephone message to the Head of Policy and Governance by noon on the day of the meeting, of a statement or question, and give details of any question.

When a Member or Members of the Executive give(s) notice to speak on any item of the Executive minutes, they shall be heard before any other member of the Council.

Members of the Executive may not bring forward new information under this procedure. Any information which is included in such a statement or question and which has not previously been formally presented to the Council shall be the subject of a report to the next meeting of the Executive, or where appropriate the relevant regulatory Committee.

The Chairman of the Executive or Committee, or person moving the minutes, shall have a right to make a statement or give an answer in reply.

The Leader may choose to delegate his/her response to the appropriate portfolio holder.

The Member making the statement or asking the question shall have the right to put one supplementary question directly relevant to the reply to the original question put by him. This can be responded to immediately or by a written reply but, there shall be no further debate on this matter.

15.0 INFORMAL MEETINGS OF THE COUNCIL

15.1 Calling of debate

The Leader may call a state of the Borough debate annually on a date and in a form to be agreed with the Mayor.

15.2 Form of debate

The Leader will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the state of the Borough debate.

15.3 Chairing of debate

The debate will be chaired by the Mayor.

15.4 Results of debate

The results of the debate will be:

- (i) disseminated as widely as possible within the community and to agencies and organisations in the area; and

- (ii) considered by the leader in proposing the budget and policy framework to the Council for the coming year.

15.5 Other Informal Council Meetings

- (i) Informal meetings of Councillors may be called at any time by the Mayor subject to compliance with Section 100B of the Local Government Act 1972 by giving each member notice thereof, such notice specifying the business to be debated thereat, not less than seven clear working days before the date of the meeting.
- (ii) At a meeting called in pursuance of this Procedure Rule
 - (a) these Procedure Rules, with the exception of Procedure Rules 15.5 and 2(i), shall have no effect
 - (b) no business other than that specified in the notice of the meeting shall be discussed
 - (c) no formal resolutions shall be passed
 - (d) no speech shall exceed five minutes in duration
 - (e) the debate shall be limited to a duration of 1 ½ hours unless in the opinion of the Mayor this time is insufficient for the purposes of the debate and such longer time as the Mayor may decide shall be allowed.
- (iii) A meeting called in pursuance of this Procedure Rule shall be an approved duty for the purposes of payment of travel and subsistence allowances.

16.0 PREVIOUS DECISIONS AND MOTIONS

16.1 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 15 members.

16.2 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 15 members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months, provided that this Procedure Rule shall not apply to any matter coming before the Council as a result of a recommendation of a Committee or the Executive.

17.0 VOTING

17.1 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.

17.2 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. Where the Mayor has not used his second or casting vote to produce a majority in favour of or against the proposition, then in such case the proposition shall be deemed to be lost for want of a majority.

17.3 Show of hands

Unless a recorded vote is demanded under Rule 17.4, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting. The Mayor will announce the numerical result immediately the result is known.

17.4 Recorded vote

If a member, supported by five others present at the meeting, demands 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 recorded vote will be taken at budget-setting Council meetings.

17.5 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.

17.6 Voting on appointments

If there are more than two people nominated for any position to be filled and there is not an absolute 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 an absolute majority of votes for one person.

17.7 Electronic Voting

Any voting referred to in PR 17 may be conducted using any electronic voting system available in the Council Chamber.

18.0 MINUTES

18.1 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.

18.2 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.

18.3 Form of minutes

The minutes of the proceedings of meetings of the Council, the Executive, Committees and Sub-Committees shall be recorded on loose leaves consecutively numbered, the minutes of the proceedings of any meeting being signed, and each leaf comprising those minutes being initialled, at the same or next following meeting of the Council by the Chairman, and any minute purporting to be so signed shall be received in evidence without further proof.

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

18.5 The minutes of the Executive, each Committee and Sub-Committee shall be laid on the table for one half-hour before the next meeting commences and also be available for inspection after each meeting.

18.6 The Chairman shall put the question that the minutes of the meeting of the Council, committee or sub-committee held on the day of be approved as a correct record.

19.0 RECORD OF ATTENDANCE

All members present during the whole or part of a meeting must sign their names in the attendance register before the conclusion of every meeting to assist with the record of attendance. A summary of the attendance by councillors at the Executive, Committees and Sub-Committees will be published on the Waverley website at the end of each Council year.

20.0 EXCLUSION OF THE 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 23 (Disturbance by Public).

21.0 MEMBERS' CONDUCT

21.1 Speaking at the meeting

When a member speaks at full Council they must address the meeting through the Mayor, but may stand or remain seated, as they prefer. If more than one member indicates they wish to speak, the Mayor will ask one to speak and the others must wait for the Mayor to invite them to speak. Other members must not speak whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

21.2 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.

21.3 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. If seconded, the motion will be voted on without discussion.

21.4 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. If seconded, the motion will be voted on without discussion.

21.5 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.

22.0 DISTURBANCE BY PUBLIC

22.1 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.

22.2 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.

22.3 Photography, video audio or recording meetings

Members of the public may take photographs, film and audio-record meetings of the Council, Executive, Committees or Sub-Committees that are open to the public from within the public gallery, provided that it does not disturb other members of the public in the gallery and does not detract from or delay the proper conduct of the meeting.

22.4 Reporting on Council Meetings

Members of the public are able to use social media to report on public meetings from within the public gallery, provided that it does not disturb other members of the public in the public gallery and does not detract from or delay the proper conduct of the meeting. Councillors may also use social media to report on Council meetings.

23.0 RIGHTS OF COUNCILLORS TO ATTEND EXECUTIVE, COMMITTEE AND SUB-COMMITTEE MEETINGS

Any Member of the Council who is not a Member of a Committee or Sub-Committee shall be entitled to attend any meeting of the Executive or that Committee or Sub-Committee, but not to vote, but shall be entitled to speak on any specific item for up to four minutes.

Any Member wishing to do this shall have to give notice specifying the item to the Head of Policy and Governance by noon on the day of the meeting if the meeting begins after 2pm or by 5pm on the previous working day if the meeting commences before 2pm. The Chairman may waive this rule.

Members may seek the consent of the Chairman to present documents or photographs in support of when they speak, but should give the Head of Policy and Governance forty-eight hours' notice, but where this has not been possible the Head of Policy and Governance and Chairman may waive the rule.

23.1 In the case of Area Planning Committee meetings, where a Member addresses the Committee on a matter affecting their ward, they shall have a right to speak again towards the end of the debate to clarify any matters.

23.2 A protocol for attendance by Executive Portfolio Holders at Overview and Scrutiny Committees and for attendance by Chairmen of Overview and Scrutiny Committees at Executive meetings is attached at Annexe 3.

24.0 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

24.1 Suspension

Council Procedure Rule 14.4 (content and length of speeches) 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.

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.