

PART 3 – PROCEDURE RULES

Council Procedure Rules

1. Meetings of the Council

- 1.1 The Council shall meet at least 7 times per year. The Council shall meet alternately at East Suffolk House, Station Road, Melton, and Riverside, 4 Canning Road, Lowestoft, or at such other place as the Chairman of the Council may appoint.
- 1.2 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 on such Wednesday in May as the Council determines.
- 1.3 Unless the majority of Members 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 Chairman. If the Chairman does not fix a date, the remaining business will be considered at the next Ordinary meeting.

2. Full Council - quorum

- 2.1 The quorum of a meeting will be one quarter of the whole number of Members. For clarity, the calculation for a quorum shall be rounded up to the next whole number.
- 2.2 During any meeting if the Chairman counts the numbers of Members present and declares there is not a quorum, 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.

3. Cancellation of meetings

- 3.1 The Chief Executive may cancel any meeting of the Council following consultation with the Chairman and Vice-Chairman of the Council, if they are of the opinion that:
 - (a) the number of Members able to attend due to inclement weather or sickness is such that the meeting is likely to be inquorate; or
 - (b) there is insufficient business to be transacted to warrant the holding of the meeting.

4. Extraordinary meetings

- 4.1 Those listed below may request the Proper Officer to call Council meetings in addition to Ordinary meetings:
 - (a) the Council, by resolution;
 - (b) the Chairman of the Council;
 - (c) the Monitoring Officer;
 - (d) the Section 151 Officer;
 - (e) any five Members of the Council if they have signed a requisition presented to the Chairman of the Council and the Chairman has refused to call a meeting or

has failed to call a meeting within seven days of the presentation of the requisition.

Note: No Notices of Motion or questions from Councillors or members of the public will be taken at any Extraordinary Meeting

5. ORDER OF BUSINESS

5.1 Ordinary Council Meetings:

- a) Elect a person to preside if the Chairman and Vice-Chairman are not present;
- b) Approve the Minutes of the last meeting;
- c) Deal with business expressly required by statute to be done;
- d) Receive any declarations of interest from Councillors;
- e) Receive any announcements from the Chairman, Leader of the Council, Members of the Cabinet or Chief Executive;
- f) Answer written questions asked. Provided that the Chairman may direct that any question relating to the report of the Leader of the Council or of a committee or sub-committee chairman or to the minutes associated therewith shall be deferred until the report is considered;
- g) Deal with any business from the last Council meeting;
- h) Receive and consider any reports and recommendations from the Leader of the Council, Cabinet, Cabinet Members, committees and sub-committees;
- i) Answer verbal questions to the Leader of the Council, Cabinet Members, and the relevant chairmen of committees and sub-committees, asked upon items contained within reports of committees and sub-committees, and to consider motions arising therefrom; and to allow committee chairmen or, at the invitation of the relevant Cabinet Member, the relevant task group chairman, to make a brief statement to the Council;
- j) Consider motions of which notice has been given; and
- k) Deal with any other business specified in the Summons of the meeting.

5.2 Annual Council Meeting:

- (a) Elect a person to preside until the election of a new Chairman of the Council, if the outgoing Chairman and Vice-Chairman are not present;
- (b) Approve the Minutes of the last ordinary meeting of the Council;
- (c) Receive any communications and announcements from the retiring Chairman of the Council;
- (d) Elect the new Chairman of the Council;
- (e) Elect the new Vice Chairman of the Council;
- (f) Receive any communications and announcements from the new Chairman of the Council or Chief Executive;
- (g) Elect the Leader of the Council for a period of four years or until the Leader's term of office as a Councillor ends;
- (h) Appoint the Scrutiny Committee, the Audit & Governance Committee, Planning Committee, Licensing Committee and such other committees as the Council considers appropriate, plus their Chairmen and Vice Chairmen;
- (i) Ensure that where possible each Member of the Council serves on either the Cabinet or a committee;
- (j) Agree any Schemes of Delegation, or part of them, as the Constitution determines it is for the Council to agree;

- (k) Consider a motion to approve the date of the next Annual Meeting and annual schedule of meetings;
 - (l) Make annual appointments to working parties and outside bodies; and
 - (m) Consider any business set out in the summons convening the meeting.
- 5.3 Annual Meeting - Selection of Councillors to serve on Committees, Working Parties and Outside Bodies:
- (a) Decide which committees and sub-committees will be established for the municipal year (which remain the same from year to year, unless changed by Council);
 - (b) Decide the size and terms of reference for committees and sub-committees (which remain the same from year to year, unless changed by Council);
 - (c) Decide the allocation of seats to political groups in accordance with the political balance rules;
 - (d) Receive nominations from Councillors to serve on committees, working parties and outside bodies;
 - (e) Appoint to those committees, working parties and outside bodies, except where appointment has been delegated by the Council; and appoint the Chairmen and Vice-Chairmen of committees to which appointments have been made.
- 5.4 The Council may at any time amend resolutions passed in accordance with paragraph 5.
- 5.5 A motion to vary the order of business can be made at any time but shall not displace the business of the election of a person to preside.

6 NOTICE OF AND SUMMONS TO MEETINGS

- 6.1 The Proper Officer will give notice to the public of the time and place of any Council meeting in accordance with the [Access to Information Procedure Rules](#). At least five clear working days before a meeting, the Proper Officer will send a summons to every Member of the Council. The summons will give the date, time and place of each meeting and specify the business to be transacted and will be accompanied by such reports as are available.

7 CHAIRMAN OF MEETING

- 7.1 In the absence of the Chairman, the Vice Chairman will preside at the meeting. If both the Chairman and Vice Chairman are not present, a Chairman for that meeting must be elected. The person presiding at the meeting may exercise any power or duty of the Chairman. Where these rules apply to committee and sub-committee meetings, references to the Chairman also include the Chairman of committees and sub-committees.

8 QUESTIONS FROM THE PUBLIC

- 8.1 A local government elector may ask the Chairman of the Council, the Leader of the Council, Members of the Cabinet or the Chairman of any committee or sub-committee a question at Ordinary meetings of the Council.
- 8.2 Questions will be asked in the order notice of them was received, except that the Chairman may group together similar questions.

- 8.3 A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Proper Officer no later than midday ten 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.
- 8.4 Scope of questions - the Proper Officer may reject a question if it:
- (a) is not about a matter for which the local authority has a responsibility, or which affects the district;
 - (b) is not a topic of general interest and relates to a personal issue or an individual case;
 - (c) is defamatory, frivolous or offensive;
 - (d) is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
 - (e) requires the disclosure of confidential or exempt information.
- The Proper Officer may edit the question as necessary to delete any irrelevant or repetitive matter.
- 8.5 The Proper Officer will keep a record of questions 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. Copies of all questions will be circulated to all Members and will be made available to the public attending the meeting.
- 8.6 Questions which are not rejected will appear on the agenda for the meeting. Questions will not normally be read out at the meeting. The Chairman may, at their discretion, allow a questioner present at the meeting to read out their question.
- 8.7 The Chairman of the Council or the Member concerned to whom a question has been asked may:
- (a) give a direct oral answer;
 - (b) undertake to provide a written reply within seven days;
 - (c) where the reply cannot conveniently be given orally, circulate a written answer to the questioner and all Members of the Council;
 - (d) decline to answer, giving reasons why the Chairman or Member concerned is unable to answer.
- 8.8 A maximum of three minutes shall be allowed for any question that is read out and the public question session will last for no longer than 30 minutes. Any question that cannot be dealt with during the public question session, 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.
- 8.9 Unless the Chairman decides otherwise, no discussion will take place on any question, but any Member may move a motion 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.
- 8.10 There is no provision for any member of the public asking a question to ask any supplementary question(s).

9 QUESTIONS BY MEMBERS

- 9.1 A Member of the Council may ask the Leader of the Council or Chairman of a committee or sub-committee any question without notice upon an item of the report of the Cabinet or a committee or sub-committee when that item is being received or

under consideration by the Council, except at an annual or extraordinary Council meeting.

9.2 Questions on notice at Council - a Member of the Council may ask:

- (a) the Chairman of the Council;
- (b) the Leader of the Council;
- (c) a Member of the Cabinet; or
- (d) 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 East Suffolk Council.

9.3 Notice of questions - a Member may only ask a question if:

- (a) notice has been given by delivering it in writing or by electronic mail to the Proper Officer no later than midday ten working days before the day of the meeting; or
- (b) the question relates to urgent matters; they have the consent of the Chairman of the meeting and the content of the question is given to the Proper Officer by 9:30am on the day of the meeting. The Chairman having had regard to the following:

- i. The issue is of critical importance to the Council and / or the East Suffolk area for which an explanation or response is required and not just a public topic of interest and discussion which could be raised at the next Council meeting, via the formal Committee process or with the relevant Strategic Director.
- ii. The matter must not be unlawful, defamatory or otherwise inappropriate to good governance as determined by the Monitoring Officer.
- iii. The matter must not be about a subject matter on which the public already has common knowledge as determined by the Chairman of the Council in consultation with the Monitoring Officer.
- iv. The question must not be written as a motion or require the Council to vote on the issue as determined by the Monitoring Officer.

(c) Should an urgent Member question be rejected by the Chairman of the Council then the Member submitting the question should be informed in writing of the reasons why.

(d) The Chairman's decision to allow or not allow an urgent Member Question to be included as part of a Council meeting shall not be the subject of any comment or objection at a Council meeting.

9.4 Where any Member's question appears on the agenda it will be at the Chairman's discretion whether or not the question can also be read out by the Member asking the question. No Member will be permitted to read out another Member's question.

9.5 The Proper Officer will keep a record of Member Questions open to public inspection. The record for rejected questions will include the reason for rejection.

9.6 Each question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer, giving reasons why the Member concerned is unable to answer. 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 will be circulated to all Members of the Council.

Where a direct oral answer, is given but the questioner is not present at the meeting; the questioner will be sent a written copy of the response as soon as reasonably possible after the meeting.

The time limit for Council to consider questions in relation to which notice must be given is 30 minutes in total and this time limit can be extended at the discretion of the Chairman.

- 9.7 Supplementary question - a Member asking a question may ask one related supplementary question without notice to the Member to whom the first question was asked. A Member cannot ask a supplementary question if they did not themselves ask the original question. The supplemental question must arise directly out of the original question or the reply.

10 PETITIONS

- 10.1 No petition shall be presented at any meeting of the Council unless ten clear days' notice thereof has been given to the Proper Officer, and it has attracted in excess of 1200 signatures, and it meets the requirements set out in the Council's Petitions Scheme.

11 NOTICE OF MOTION

- 11.1 'Notice of motion' is a request to Council for a decision to be made or action to be taken. Notice of motion must be delivered in writing or by electronic mail to the Proper Officer no later than midday ten working days before the day of the meeting. These will be dated, numbered in the order received and available for public inspection on request.
- 11.2 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.
- 11.3 Motions must be about matters for which the Council has a responsibility, or which affect the East Suffolk district. A substantially similar motion must not have been submitted within the previous six months unless Rule 14.1 or 14.2 apply.
- 11.4 Prior to consideration of the motion at Council, the Leader of the Council, the Leader of the appropriate Opposition Groups of the Council and the Chairman of the Council will discuss the motion and aim to agree on a preferred way forward. This may be any of the options available to the Council. This suggestion will be communicated to the Council by the Chairman of the Council prior to consideration of the Notice of Motion, following which the Council will decide how the motion will be dealt with.
- 11.5 Motions may be discussed immediately by the Council, with the consent of the Council shown by majority vote, where amendments may also be put. If no such consent or no such majority is obtained the motion will be automatically referred to the relevant committee or the Cabinet for investigation and/or debate and further report back for subsequent debate by the Council.
- 11.6 The Proper Officer will keep a record of formal motions submitted which will be open to public inspection. Rejected motions will include the reason for rejection.
- 11.7 If a motion, notice of which is thus set out in that summons, be not moved either by the Member who gave notice thereof or by some other Member, or is not seconded, it shall, unless postponed by consent of the Council, be treated as abandoned and shall not be moved without fresh notice.

- 11.8 A Member may, with the consent of the Council, alter a motion which they have proposed, or of which notice has been given if the alteration is one which could have been moved as an amendment thereto.

12 MOTIONS WITHOUT NOTICE

- 12.1 The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) motions relating to the accuracy of the minutes, closure, adjournment, or order of business;
- (c) to approve Council minutes as a true record;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a committee or Member to a committee or other body arising from an item on the summons for the meeting;
- (f) to receive reports or adoption of recommendations of the Cabinet, committees or Officers and any resolutions following from them;
- (g) that an item of business takes precedence;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) that the meeting continues beyond three hours in duration;
- (n) to suspend a particular Council Procedure Rule;
- (o) to exclude the public and press in accordance with the Access to Information Rules;
- (p) to not hear further a Member named under Rule 19.8 or to exclude them from the meeting under Rule 19.9;
- (q) to give the consent of the Council where its consent is required by this Constitution.
- (r) to extend the time limit for speeches
- s) That the voting on a question shall be by ballot;
- t) Motions which may be moved while a motion is under discussion;
- u) Motions to carry out a statutory duty of the Council, which in the opinion of the Chairman, is of an urgent nature.

- 12.2 Any motion (other than a motion to refer a matter to an appropriate body or individual) which would affect the income or expenditure of any committee to the extent that a Supplementary Estimate would be required in terms of the Council's Financial Procedure Rules, shall not be considered unless and until that body or individual shall have had an opportunity to consider the matter in the manner determined by Financial Procedure Rules.

13 RULES OF DEBATE

- 13.1 No speeches may be made after the mover has moved a proposal and explained the purpose of it and until the motion has been seconded.

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

- 13.3 When seconding a motion or amendment, a Member may reserve their speech until later in the debate.
- 13.4 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 Council.
- 13.5 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 they last spoke;
 - (c) if their first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which they spoke was carried);
 - (d) in exercise of a right of reply;
 - (e) on a point of order;
 - (f) by way of personal explanation;
 - (g) if they have reserved their speech to later in the debate; and
 - (h) to move a closure motion.
- 13.6 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.
 - (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 read out the amended motion before accepting any further amendments, or if there are none, will put the substantive motion to the vote.
- 13.7 Alteration of motion
- (a) A Member may alter a motion of which they have given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
 - (b) A Member may alter a motion that they have 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 that could be made as an amendment may be made.
- 13.8 Withdrawal of motion
- A Member may withdraw a motion that they have 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.

13.9 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 a right of reply to the debate on his or her amendment, immediately before the amendment is put to the vote.
- (d) A Member exercising a right of reply shall not introduce new matter.
- (e) After every reply to which this Council Procedure Rule refers, a decision shall be taken without further discussion subject to the provisions of the next following sub-paragraph.
- (f) The Chairman of the Council may, if they think fit, sum up the debate before putting a motion or amendment and if such debate involves questions of a legal, technical or administrative nature, they may request the appropriate Officer to draw the attention of the Council to any relevant factors.
- (g) When a motion has been referred to an appropriate body or individual for consideration and report, then the mover of that motion shall, when the report and any appropriate recommendation of that body or individual on the subject matter of the motion is before the Council, have a right of reply immediately before any right of reply above.

13.10 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 continues beyond three hours in duration;
- (h) to exclude the public and press in accordance with the Access to Information Rules;
- (i) to not hear further a Member named under Rule 19.8 or to exclude them from the meeting under Rule 19.9; and
- (j) to refer the subject to the Cabinet, a committee or sub-committee as considered appropriate.

The proposer and seconder of a motion that falls within the provisions above shall have the right to attend the meeting of the Cabinet, a committee or sub-committee at which it has been referred for the purposes of explaining it.

13.11 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 Chairman thinks the item has been sufficiently discussed, they will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion 'that the question be now put' is seconded and the Chairman thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed, they will give the mover of the original motion a right of reply before putting their 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, they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

13.12 Point of order

A Member 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 Rules of Procedure or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Chairman on the matter will be final.

13.13 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 that 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.

14 PREVIOUS DECISIONS AND MOTIONS

- 14.1 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 one third of the Members of the Council.
- 14.2 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.
- 14.3 Any policy decision made by Council may not be re-visited, changed or reaffirmed within six months of the decision being taken unless required by legislation or other substantial circumstances.

15 VOTING

- 15.1 Majority - unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present in the room at the time the question was put.
- 15.2 Chairman's 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.

- 15.3 Show of hands - unless a ballot or recorded vote is demanded, the Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting. Two Officers of the Council shall act as tellers.
- 15.4 Ballots - the vote will take place by ballot if seven Members present, or in the case of committees or sub-committees half the Members present at the meeting demand it. Two Officers of the Council shall act as tellers. The Chairman will announce the numerical result of the ballot immediately the result is known.
- 15.5 Recorded vote - if seven Members present, or in the case of committees or sub-committees half the Members present at the meeting 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. Two Officers of the Council shall act as tellers.
- 15.6 Immediately after any vote is taken at a budget decision meeting of the Council there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.
- A "budget decision meeting" means a meeting of the relevant body at which it:
- a) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the [Local Government Finance Act 1992](#)(4); or
 - b) issues a precept under Chapter 4 of Part 1 of that Act and includes a meeting where making the calculation or issuing the precept was included as an item of business on the agenda for that meeting.
- 15.7 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.
- 15.8 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.
- 15.9 Quasi-judicial bodies (Appointments Committee, Planning Committee and Licensing Committee): At meetings of these quasi-judicial bodies, a Member shall not vote on an item unless they have been present at the commencement of the debate on that item and have remained present throughout the totality of the debate.

16 MINUTES

- 16.1 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.
- 16.2 Minutes of a meeting will not need to be signed at the next meeting if the next meeting is an Extraordinary meeting called under paragraph 3 of schedule 12 to the [Local Government Act 1972](#). In these circumstances the Minutes will be signed at the next Ordinary meeting.
- 16.3 Minutes will contain all motions and amendments in the exact form and order the Chairman put them.

17 RECORD OF ATTENDANCE

- 17.1 All Members present during the whole or part of a meeting must ensure their name is recorded before the conclusion of every meeting to assist with the record of attendance.

18 EXCLUSION OF PUBLIC

- 18.1 Members of the public and press may only be excluded either in accordance with the [Access to Information Procedure Rules](#) or [Disturbance by Public](#) rule.

A motion by a committee or sub-committee to exclude members of the public and press in accordance with the Access to Information Procedure Rules shall not apply to a Member of the Council not being a Member of that committee or sub-committee attending the meeting. Such a motion shall also not apply to a Member or Officer of another local authority for items relating to joint working considered under private/confidential proceedings.

- 18.2 Confidentiality

Any Member whether present as a Member of a committee or sub-committee or attending a meeting shall not disclose either publicly or to a third party any information of a confidential nature other than the actual decision relating to that confidential item.

19 MEMBERS' CONDUCT

- 19.1 Where any Member has given a general notice of a Disclosable Pecuniary Interest or Local Non-Pecuniary Interest as defined in the [Member's Code of Conduct](#), they shall nevertheless orally declare that interest at a meeting at which a contract or other matter affecting that interest is to be considered. Any such declaration shall be recorded in the minutes of the meeting.

- 19.2 Where any Member has declared a Disclosable Pecuniary Interest in a matter, they shall not take part in any discussion of the matter and shall withdraw from the room in which the meeting is being held while the matter is under consideration unless:

- (a) a dispensation has been granted to the Member; or
- (b) the matter is before the meeting only as part of the minutes or report of the Cabinet or minutes of a committee or sub-committee (in the case of a meeting of the Council) or of a sub-committee (in the case of a meeting of a committee) and is in either case not itself the subject of debate.

- 19.3 Any Member who attends a meeting of the Cabinet or a committee or sub-committee, whether or not as a Member of the Cabinet or of that committee or sub-committee, and whether or not they shall have any right to speak at that meeting, shall make the same disclosures of personal or prejudicial interests, and shall be under the same obligations to withdraw from the meeting as if they were a Member of the Cabinet or of that committee or sub-committee.

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

- 19.5 If the Chairman stands during a debate, any Member speaking at the time must stop and sit down if they are standing. The meeting must be silent.

- 19.6 No Member may use offensive expressions concerning any other Member.
- 19.7 The Chairman of the Council shall call attention to continued irrelevance, tedious repetition, unbecoming language, or any breach of order on the part of a Member and may direct such Member, if speaking, to discontinue his / her speech.
- 19.8 If a Member persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, any Member may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.
- 19.9 If the Member continues to behave improperly after such a motion is carried, any Member may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.
- 19.10 If there is a general disturbance making orderly business impossible the Chairman may adjourn the meeting for as long as they think necessary and may reconvene the meeting in another room.

20 DISTURBANCE BY PUBLIC

- 20.1 If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room and may adjourn the meeting for as long as they think necessary and may reconvene the meeting in another room.
- 20.2 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.

21 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

- 21.1 Suspension - all of these Council Procedure Rules except Rule 15.6 and 16.2 may be suspended by motion on notice or without notice with the consent of the majority of the Members of the Council then present. Suspension can only be for the duration of the meeting. Any suspension cannot have the effect of the Council or any of its committees acting unlawfully.
The extent and duration of any suspension will be proportionate to the result to be achieved, taking into account the purposes of the Constitution.
- 21.2 Amendment - except where recommendations have been referred to Council from the Audit & Governance Committee, any motion to add to, vary or revoke the Council Rules of Procedure will, when proposed and seconded, stand adjourned for consideration by the Audit & Governance Committee.

22 INTERPRETATION OF COUNCIL PROCEDURE RULES

- 22.1 The ruling of the Chairman of the Council, as to the interpretation of application of any of these Procedure Rules, or as to any proceedings of the Council, shall be final and no debate shall be permitted upon such decisions.