

Part 4.1

Council Procedure Rules (Standing Orders)

CONTENTS

	Page
1. Annual meeting of the Council	1
2. Ordinary meetings	2
3. Extraordinary meetings	3
4. Time and place of meetings	3
5. Notice of and summons to meetings	4
6. Chairman of meeting	4
7. Quorum	4
8. Duration of meeting	5
9. Public Time at meetings	5
10. Questions by Members	6
11. Motions on notice	8
12. Motions without notice	8
13. Rules of debate	9
14. East Northamptonshire "Issues" debate	12
15. Previous decisions and motions	13
16. Voting	13
17. Minutes	14
18. Record of attendance	16
19. Exclusion of public	16
20. Councillors' conduct	16
21. Disturbance by public	17
22. Suspension and amendment of Council Procedure Rules	17
23. Appointment of sub committees and advisory working parties	17
24. Application to committees and sub-committees	18
25. Working Parties, Groups and Boards	18
26. Items on Committee Agenda	18
27. Attendance by Members at meetings of which they are not members	19

1. ANNUAL MEETING OF THE COUNCIL

1.1.1 Timing and business

In a year when there is an ordinary election of councillors the Annual Meeting of Council will take place within 21 days of the retirement of the outgoing councillors. Otherwise the (full) Annual Council meeting will normally be held on the third Wednesday in May of each year at 7.30 in the evening, unless (full) Council at the last ordinary meeting preceding such Annual Meeting directs that the meeting shall be held at some other time of the day.

The Annual Meeting will:

- i. elect a person to preside if the Chairman of the council is not present;
- ii. elect the Chairman of council;
- iii. elect the Vice-Chairman of council;
- iv. approve the minutes of the last meeting;
- v. receive any announcements or reports from the Chairman and/or Chief Executive
- vi. elect the Leader (and Deputy Leader);
- vii. approve a program of ordinary meetings of the Council and its committees for the year, and
- viii. consider any business set out in the notice convening the meeting.

1.2 Selection of Councillors to serve on Committees and Outside Bodies

The Annual Meeting, will:

- i. decide which committees to establish for the municipal year;
- ii. decide the size and terms of reference for those committees;
- iii. receive nominations of Councillors to serve on (a) each committee in accordance with the wishes of the political groups, and (b) on outside bodies;
- iv. decide the allocation of seats in accordance with the political balance rules
- v. appoint to those committees and outside bodies as the meeting deems necessary for the coming year.

1.3 Urgent items cannot be considered at the Annual Meeting

2. ORDINARY MEETINGS

- 2.1 Ordinary meetings of the (full) Council will take place in accordance with a programme decided at the Council's Annual Meeting. A minimum of six ordinary meetings of the (full) Council shall normally be held each year.
- 2.2 Order of proceedings at meetings unless otherwise provided by law or directed by the (full) Council:-
- i. appoint a person to preside if the chairman and vice-chairman are absent;
 - ii. receive and, if appropriate within the Council's published Petitions Scheme (which can be found on the council's website www.east-northamptonshire.gov.uk), debate, petitions and hear from citizens of which notice has been given in relation to matters which in the opinion of the person presiding at the meeting are relevant to the business of the meeting;
 - iii. receive any apologies for absence from the meeting;
 - iv. approve the minutes of the last meeting (which shall be taken as read); no motion or discussion shall be allowed on the minutes except as to their accuracy. (see Rule 17)
 - v. receive any new or existing declarations of interest from councillors and Officers under the provisions of the Localism Act 2011 or the Councillors Codes of Conduct for Councillors or Officers relevant to the matters under discussion;
 - vi. receive any official announcements, notices or reports from the Chairman or the Chief Executive
 - vii. receive any announcements or reports from the Leader;
 - viii. receive the minutes and related comments from the chairmen of the Council's committees and receive questions and answers on any of those minutes, subject to the agreement of the Chairman;
 - ix. consider any recommendations arising from the reports of the chairmen of committees;
 - x. receive, for information, the minutes of Licensing (Liquor and Gambling) and Licensing (Taxi and Miscellaneous) Panel meetings;
 - xi. receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
 - xii. consider motions of which notice has been given in accordance with Rule 11, in the order in which they were received;
 - xiii. consider any other business specified in the summons to the meeting, including any business appointed for the particular meeting by resolution of a previous meeting, or any proposals in relation to the Council's budget and policy framework,
 - xiv. interview any person(s) invited to attend the meeting; and
 - xv. consider matters where confidential or exempt information may be revealed;

The Chairman may, with the consent of the Council, bring forward at any stage any business specified in the summons. 2.4 Adjourned meetings

2.3 An item of business may not be considered at a meeting of council unless either:-

- (a) a copy of the agenda including the item is open to inspection by members of the public for at least five clear working days before the meeting or; where the meeting is convened at shorter notice, from the time the meeting is convened; or
- (b) by reason of special circumstances, which shall be specified in the minutes, the chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.

2.4 When a meeting of the Council is adjourned for more than twenty-four hours, notice of the adjourned meeting shall be sent to each member of the Council, specifying the business to be transacted.

2.5 The adjourned meeting shall, except in urgent circumstances falling within section 100B(4)(b) of the Local Government Act 1972, only transact the business which remains to be dealt with on the summons from the earlier session.

3. EXTRAORDINARY MEETINGS

3.1 Calling extraordinary meetings

The following may require the Chief Executive to call Council meetings in addition to ordinary meetings:

- i. the Council, by resolution;
- ii. the Chairman of the Council
- iii. the Chief Executive;
- iv. the Monitoring Officer;
- v. the Chief Finance Officer
- vi. the Leader
- vii. any five councillors if they have signed a requisition presented to the Chairman and the Chairman has refused to call a meeting or has failed to call a meeting within five working days of the presentation of the requisition.

3.2 Business

The summons to an extraordinary meeting shall set out the business to be considered at it, which must include the subject set out in the requisition, and no business other than that set out in the summons shall be considered at that meeting.

3.3 Signing minutes

Normally, the minutes of the previous meeting will be signed at the next meeting. However, where an extraordinary or special meeting has been called, the law allows the minutes of a previous meeting to be signed at the next suitable meeting.

4. TIME AND PLACE OF MEETINGS

The time and place of meetings will be determined by the Chief Executive (including whether it shall be held in whole or in part by video, teleconferencing, or other such technology that is permitted via regulations made in accordance with Section 78 of the Coronavirus Act 2020) in consultation with the Chairman of the Council (if absent, the Vice-Chairman will be consulted) and notified in the summons to attend the meeting.

5. NOTICE OF AND SUMMONS TO MEETINGS

5.1 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 working days before a meeting (or such time as may be prescribed by law), the Chief Executive will send a summons signed by him or her by post at their usual place of residence to every councillor. 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.

5.2 Where the meeting is called by councillors, the notice shall be signed by those councillors and shall specify the business to be transacted at the meeting.

6. CHAIRMAN OF MEETING

6.1 The councillor presiding at the meeting may exercise any power or duty of the Chairman. When the Chairman is speaking the Council shall be silent. Where these rules apply to committee and sub-committee meetings, references to the Chairman also include the Chairman of committees and sub-committees.

6.2 Chairman's ruling

The ruling of the Chairman as to relevance of speeches, on a point of order, or on the admissibility of a personal explanation is final and shall not be open to discussion.

6.3 Chairman's right to adjourn meeting

In case of disorder or defiance of the authority of the Chairman, the Chairman may, without question put, adjourn or suspend a sitting of the Council for such period as he in his discretion shall consider expedient and the sitting shall forthwith be adjourned or suspended accordingly. The adjournment or suspension shall not in the case of an ordinary meeting extend beyond the date of the next ordinary meeting of the Council.

7. QUORUM

- 7.1 The quorum of a meeting will be one quarter of the whole number of councillors and no business shall be transacted at a meeting of the Council unless at least one quarter of the whole number of councillors (10) are present. 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 the Chairman does not fix a date, the remaining business will be considered at the next ordinary meeting of the council.
- 7.2 The quorum for a committee or sub-committee shall be one quarter of the membership, provided that in no case shall a quorum be less than three members. The quorum of a Licensing (Liquor and Gambling) or Licensing (Taxi and Miscellaneous) Panel shall also be three councillors.

8. DURATION OF MEETING

Unless the majority of councillors present vote for the meeting to continue, any meeting that has lasted for two 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.

9. PUBLIC TIME AT MEETINGS

- 9.1 (a) General

Citizens who have given notice of their intention to speak may address the Council at all meetings of the Council and committees in accordance with the Council's published procedures. A period of not more than 15 minutes will be allowed before the formal business of the meeting during which citizens may speak for up to 3 minutes on a matter due for consideration at the meeting. A "citizen" includes

- a local resident,
- an objector
- a Parish or Town Council representative,
- an East Northamptonshire Councillor serving on that Committee with a Disclosable Pecuniary Interest (with a Dispensation) or an 'other interest' as a result of which they have withdrawn from the debate or decision on a related matter,
- An East Northamptonshire Council Councillor not serving on that Committee who wishes to speak on a matter on the agenda
- an applicant (in the case of the Planning Management Committee, this can be an agent). This right reflects Articles 6 and 10 of the European Convention of Human Rights (Right to be heard and Freedom of Expression).

Please note there is no right to a reply by the Committee to any specific questions that may be asked during public speaking

(b) Notice

To speak at a council meeting, citizens must contact the Democratic Services Team to register their wish to speak before 5pm on the day before the meeting so they can draw up a list of speakers. This may be done by telephone or online form. This requirement may be waived at the discretion of the Committee Chairman only in respect of items to be dealt with under the urgency procedure – See Part 4.3 paragraph 3.66

(c) Planning Management Committee, Planning Policy Committee and Policy and Resources Committee

The Chairman of these Committees may, as they think fit, modify this Rule to enable speakers on issues to be heard immediately before the matter to be considered, rather than at the start of the meeting. The Chairman may also extend the overall time allowed for public speaking to a maximum of 30 minutes.

Note: Part 5.4 Code of Practice for Planning Procedures, Section 5.3 of the Constitution contains more detailed procedures for public speaking at Planning Management Committee meetings.

(d) Licensing (Liquor and Gambling) and Licensing (Taxi and Miscellaneous) Panels

Separate procedures, as agreed by the Licensing Committee, apply to meetings of the Licensing (Liquor and Gambling) Panels, to ensure that the rules of natural justice are followed in accordance with Article 12.07 of the constitution. Similar procedures apply to meetings of Licensing (Taxi and Miscellaneous) Panels.

(e) Petitions

Different provisions apply to petitions. Petitions may be presented to a Council meeting by petition organisers or a councillor on their behalf.

Some petitions may trigger debates at a Council meeting if they contain sufficient signatures within the Council's Petitions Scheme. In these cases, the subject will be set out in the Summons for the meeting, and the petition organiser will be told, in writing, of the Council's decision. Petitions which call for a specific senior officer to answer questions on the delivery of a Council service will, provided they contain sufficient signatures within the Council's published Petitions Scheme, be submitted to the Policy & Resources Committee. That Committee will also review the Council's response on a petition, on receipt of an appeal from the petition organiser. More details on the council's

petitions scheme can be found at the council's website www.east-northamptonshire.gov.uk.

9.2 Order of public speakers

Members of the public will be called in the order their request was received, except that the Chairman may group together speakers on similar matters.

9.3 Scope of public speaking

Public speaking will be allowed at the discretion of the Chairman and speakers may be rejected or stopped if the subject of their speech:

- is not about a matter for which the local authority has a responsibility or which affects the district, (or in the case of a Committee or Sub Committee is not within the scope of their functions)
- is defamatory, frivolous or offensive;
- is substantially the same as a point which has been raised at a meeting of the Council in the past six months; or
- requests the disclosure of confidential or exempt information.

9.4 Speaking at the meeting

The Chairman will invite, in turn, members of the public to address the meeting and will acknowledge speakers at the close of their statement.

9.5 Record of public speakers

Public speakers and the matters about which they spoke in the minutes of the meeting will be recorded.

9.6 Reference of a matter to a committee of the Council

Unless the Chairman decides otherwise, any councillor may move that a matter raised by a public speaker be referred to the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

10. QUESTIONS BY MEMBERS

10.1 On reports to the full Council, of the business of the committees, subject to Rule 17.5.

A councillor may ask the Leader or the Chairman of a Committee or Board any question upon any item of the minutes of the committee when that item is being received.

10.2 Questions on notice at all full Council meetings

Subject to Rule 10.4, a councillor may ask:

- the Chairman;
- the Leader; or
- the Chairman of any committee or sub-committee or Board

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

10.3 Questions on notice at committees and sub-committees

Subject to Rule 10.4, a councillor serving on a committee or sub-committee, who is present at the meeting, may ask the Chairman of that committee a question on any matter in relation to which the Council has powers or duties or which affect East Northamptonshire and which falls within the terms of reference of that committee or sub-committee.

10.4 Notice of questions

A councillor may only ask a question under Rules 10.2 and 10.3 if they have given notice in writing of the question to the Chief Executive by 5pm on the preceding working day before the meeting.

10.5 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 by an agreed date to the questioner or to all councillors, as necessary.

10.6 Supplementary question

At the discretion of the chairman of the meeting, a councillor asking a question under Rule 10.2 or 10.3 may ask one supplementary question without notice of the councillor to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply. The councillor to whom the questions is asked may decline to answer the supplementary question.

11. MOTIONS ON NOTICE

11.1 Except for motions which can be moved without notice under Rule 12, written notice of every motion, signed by the councillor or councillors giving the notice must be delivered to the Chief Executive not later than 12 noon five working days before the date of the meeting at which it is to be considered. The notice will be dated, numbered in the order in which it is received, filed for seven years and open to public inspection.

11.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda for the Council meeting in the order in which they are received, unless the councillor giving notice states, in writing, a wish to move it to a later meeting or subsequently withdraw it.

11.3 Scope

Every motion must be about a matter for which the Council has a responsibility or which affects East Northamptonshire and/or its constituents

11.4 Failure to move

If a motion set out on the agenda is not moved by the councillor who gave notice of it it shall, unless postponed by consent of the (full) Council, be treated as withdrawn and shall not be moved without fresh notice.

12. MOTIONS WITHOUT NOTICE

12.1 The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting;
- (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 working party or nominated member arising from an item on the summons for the meeting;
- (f) motions for the proper transaction of business included on the agenda for the meeting;
- (g) to receive reports or adoption of 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 2 hours in duration;
- (o) to suspend a particular Council Procedure Rule where legal to do so;
- (p) to exclude the public and press in accordance with the Access to

- Information Rules;
- (q) to not hear further a councillor named under Rule 20.4 or to exclude them from the meeting under Rule 20.5;
 - (r) to give the consent of the Council where its consent is required by this constitution;
 - (s) to invite a councillor to remain (subject to the provisions on Disclosable Pecuniary Interests);
 - (t) to record a vote in accordance with Rule 16.5
 - (u) to extend the time limit for speeches.

13. RULES OF DEBATE

13.1 Requirement for a seconder for motions

Once a proposal has been moved by a councillor and the purpose of it has been explained, the Chairman will seek a seconder to allow debate to proceed. Should no seconder be secured, the motion will be considered withdrawn.

13.2 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 over before it is discussed.

13.3 Secunder's speech

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

13.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes in length (or 2 minutes on a point of order) without the consent of the Chairman.

13.5 When a councillor may speak again

Councillors who have 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 they last spoke;
- (c) if their first speech was on an amendment moved by another councillor, 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; or

- (g) in the case of the Development Control Committee, where new information has come to light.

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.

13.7 Inadmissible amendments

No amendments shall be accepted which, in the opinion of the Chairman, in substance or effect:-

- (a) proposes the rescinding of an amendment already carried;
- (b) embodies an amendment already lost; or
- (c) is a direct opposite of an original motion.

13.8 Alteration of motion

- (a) Councillors may alter motions which they have submitted under Rule 11 (with notice) with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) Councillors may alter motions which they have moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

13.9 Withdrawal of motion

Councillors may withdraw a motion which they have 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.

13.10 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 original proposer of the motion can speak immediately after an amendment is seconded or just before the right of reply of the amendment proposer.

13.11 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 2 hours in duration;
- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) to not hear further a councillor named under Rule 20.4 or to exclude them from the meeting under Rule 20.5.
- (j) to refer the matter to a Committee

13.12 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) 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, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Chairman thinks the item has been sufficiently discussed, the Chairman will put the procedural motion to the vote.
- (d) If it is passed the Chairman will give the mover of the original motion a right of reply before putting that motion to the vote.

- (e) 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, the Chairman will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

13.13 Point of order

Councillors 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. Councillors 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.

13.14 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 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.

- 13.15 Under the Localism Act, councillors with a Disclosable Pecuniary Interest (DPI) without a Dispensation in a matter may not participate in the debate or decision about the matter. The councillor may remain in the room (unless the matter to be decided is related to a regulatory function) but should physically withdraw from the Councillors making the decision. If the matter relates to a regulatory function then the councillor should leave the room (including the public gallery after any speech as a citizen), or if the councillor is present using remote technology, as instructed by the Chairman. Councillors should also be mindful of any other interests they wish to declare under paragraph 2.5.3 of the Councillors Code of Conduct. If they have relevant interests they should consider whether participating in the debate or discussion might be perceived as biased as a result. If this is the case then they should consider following the same rules as for a DPI.

14. EAST NORTHAMPTONSHIRE 'ISSUES' DEBATE

14.1 Calling of debate

The Leader has the right to call a debate about East Northamptonshire issues on a date and in a form to be agreed with the Chairman. Notice of the debate will follow the rules for a (full) Council meeting.

14.2 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 inviting guest speakers, or other events prior to the East Northamptonshire 'issues' debate.

14.3 Chairing of debate

The debate will be chaired by the Chairman of the Council.

14.4 Results of debate

The results of the debate will be:

- i. disseminated as widely as possible, or as otherwise appropriate, within the community and to agencies and organisations in the area or having an interest in the area; and
- ii. considered by the Leader in proposing the budget and policy framework to the Council for the coming year.

15. PREVIOUS DECISIONS AND MOTIONS

15.1 Motion to rescind a previous decision

A motion or amendment to rescind a decision made at a meeting of Council within the preceding six months cannot be moved unless the notice of motion is signed by at least one third of the councillors of the Council. or unless such motion is presented as a recommendation of the Committee that made the original recommendation.

15.2 Motion similar to one previously rejected

A motion or amendment substantially the same as 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 councillors of the Council. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

16. VOTING

16.1 Majority

Unless this constitution provides otherwise, any matter will be decided by a simple majority of those councillors voting and present in the room and/or present using remote technology, at the time the question was put.

16.2 Chairman's casting vote

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

16.3 Show of hands

Unless a recorded vote is demanded under Rules 16.4 and 16.5, the Chairman will take the vote by a show of hands, or if there is no dissent, by the affirmation of the meeting. In the case of a councillor/s present using remote technology the Chairman may require that vote to be confirmed verbally, or by using that technology.

16.4 Recorded vote

If, before any vote is taken, any councillor present at the meeting requests 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.

16.5 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.

16.6 Recorded Votes for Budget Meetings

A recorded vote shall take place when setting the authority's budget and determining the level of Council Tax to be levied in the district for each financial year. Such a vote will be undertaken in accordance with Procedure Rule 16.5.

16.7 Voting on appointments

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

17. MINUTES

17.1 Signing the minutes

- (a) 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.
- (b) The only issue on the minutes that can be discussed is their accuracy. If the accuracy is disputed, only those councillors who were present at the meeting in question shall be able to vote on the accuracy of the minutes of that meeting.

17.2 There is no requirement to sign the minutes of the previous meeting at an extraordinary meeting; see Rule 3.3.

17.3 Form of minutes

The names of councillors present at meetings of the Council, its Committees or Boards, Sub-Committees, Panels, and Working Parties, shall be recorded in the minutes; this will include those whose presence is physical or via remote technology.

The minutes of proceedings of meetings of the Council, Committees, Boards, Sub-Committees, and Panels shall be drawn up and entered in a book of loose leaf pages, consecutively numbered.

17.4 Minutes of Committees

The summons to attend a meeting shall state the minutes of every Committee, Sub-Committee, Board or Panel intended to be presented to it. Copies of such minutes will be supplied with the summons to the meeting, or as soon as practicable afterwards.

17.5 Presentation of minutes of Committees/Boards to the Council

- (a) The minutes of each Committee or Board shall be presented to the Council by the Chairman of the Committee, or another member of the Committee who attended the Committee meeting if the Chairman is absent from the Council meeting or was absent from the Committee meeting being presented, and taken as read.
- (b) The Chairman or councillor presenting the minutes may make a statement covering the work of the Committee/Board during the last cycle of meetings, or proposed for the future.
- (c) Questions relating to issues covered in the minutes of Committees/Boards presented to the full Council may be asked in accordance with Rule 10.1.
- (d) The Chairman or councillor presenting the minutes will move the recommendations contained in the minutes in turn. The Chairman of the Council will seek a seconder for each recommendation. Each recommendation will be considered as a separate motion for the purposes of these Rules and shall not be discussed until it has been moved and seconded.
- (e) After any recommendations and questions in the minutes of the Committee/Board have been dealt with, no councillor may reopen any matter of business which has already been decided, or raise any further question upon the proceedings of that Committee/Board.

17.6 Motions on minutes

No motions shall be moved with reference to any matter within the province of a Committee which does not appear upon the Committee's minutes, unless notice is given in accordance with Rule 11.

18. RECORD OF ATTENDANCE/APOLOGIES

All councillors present during the whole or part of a meeting must sign their names on the attendance record before the conclusion of every meeting to assist with the record of attendance. Where a councillor is in attendance using remote technology the Democratic Services Officer may record the attendance on the councillor's behalf.

Apologies for absences shall be recorded in the minutes, but their acceptance will not be regarded as approval of continued absence for the purposes of Section 85 of the Local Government Act 1972.

19. EXCLUSION OF PUBLIC

Citizens and press may only be excluded either in accordance with the Access to Information Rules in Part 4.2 of this constitution or Rule 21 (Disturbance by Public).

20. COUNCILLORS' CONDUCT

20.1 Councillors and officers will stand on the entrance and departure of the Chairman from the council Chamber at Annual or full Council Meetings. Councillors may sit while speaking. When councillors speak at a meeting of the Council or committee, they must address the meeting through the Chairman. If councillors wish to speak on a matter, they must signal and wait to be asked by the Chairman to speak.

20.2 Form of address to the Chairman

The chairman of a meeting is addressed as 'Chairman'.

20.3 Chairman standing

When the Chairman stands (or otherwise indicates when present using remote technology) during a debate, any councillor speaking at the time must stop. The meeting must be silent.

20.4 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 on that item. If seconded, the motion will be voted on without discussion. If it is moved that the councillor

be not heard further for a second time, it shall be for the remainder of the meeting.

20.5 Councillor to leave the meeting

If the councillor continues to behave improperly after both motions have been 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.

20.6 General disturbance

If there is a general disturbance making orderly business impossible, the Chairman may adjourn the meeting for as long as necessary without a vote.

21. DISTURBANCE BY PUBLIC

21.1 Removal of citizens

If a citizen interrupts the proceedings or behaves inappropriately, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting.

21.2 Clearance of part of room

If there is a general disturbance in any part of the room open to the public, the Chairman may call for that part to be cleared. The term “general disturbance” includes the throwing of items from the public gallery.

22. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

22.1 Suspension

All of these Council Rules of Procedure may be suspended in accordance with the provisions of Article 15..

22.2 Amendment

Amendments to these Rules of Procedure will only take effect at the next (full) Council or committee meeting following agreement of the amendment. Therefore, any motion made at any council meeting unconnected with reports 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.

23. APPOINTMENT OF SUB-COMMITTEES, PANELS, BOARDS AND ADVISORY WORKING PARTIES

23.1 The (full) Council and any committee may appoint such sub committees, boards, working parties and panels as they may consider necessary from time

to time and shall specify their purpose, terms of reference and duration. Any working party shall be of an advisory or deliberative nature only and shall report back to the body that appointed it, with or without recommendations, within the time set.

- 23.2 The appointment of councillors to any sub-committee, panel, board or working party shall be in accordance with legislative or regulatory requirements for the representation of political groups. Subject to this, the Leader and Deputy Leader of the Council shall be ex-officio members of the policy committees and their sub-committees (with voting rights), unless they signify they do not wish to serve.

24. APPLICATION TO COMMITTEES AND SUB-COMMITTEES

All of the Council Rules of Procedure apply to meetings of the (full) Council. Only Rules 4–10, 13, 16 – 17.4, 18 – 24, and 26 - 27 apply to meetings of committees and sub-committees.

25. WORKING PARTIES, DISCUSSION GROUPS AND BOARDS

- 25.1 A Working Party can be defined as a group set up by the Council or a Committee whose minutes record attendees, apologies and declarations of interest, and are submitted to the Council or that Committee for approval; that can make recommendations to the Council or relevant Committee for approval and whose Members can request additions to its agenda.
- 25.2 These Procedural Rules do not generally apply to Working Parties, apart from permitting their establishment under Rule 23 above. The nature and mode of operation of Working Parties is designed to encourage full discussion and exchanges of views from both councillors and officers. However, it is the practice of the Council to appoint a councillor as Chairman to preside at meetings of Working Parties; to record, in the minutes or notes of meetings of Working Parties the names of those attending (which reflects Rule 18); and to normally reach conclusions by affirmation or, if necessary, by a clear majority on a vote.
- 25.3 Boards are similar to Working Parties in function but their membership is not restricted to councillors of East Northamptonshire Council.
- 25.4 The Council has also adopted the practice whereby councillors are required to declare any necessary Disclosable Pecuniary and Other interests at Working Parties and Boards in the same way as required under paragraph 1 of the Code of Conduct for Council, Committee, Sub-Committee, Board and Panel meetings.
- 25.5 Boards or Working Parties established by other bodies are not subject to these Procedure Rules. The (full) Council will decide if it wishes to send any representatives or delegates and who they shall be, but cannot determine the Terms of Reference of each Board.

- 25.6 All Working Parties and Boards established by this Council will have Terms of Reference agreed by the Committee or (full) Council that establishes them. Such Terms of Reference will usually include details of membership, quorum, arrangements for the reporting and publication of minutes and make explicit any delegated powers.
- 25.7 Discussion Groups cannot make recommendations to Committees through their minutes and therefore are not subject to these Council Procedure Rules.
- 25.8 Partnership Boards are not subject to these Procedure Rules. The (full) Council will decide if it wishes to send any representatives or delegates and who they shall be, but can not determine the Terms of Reference of each Board.

26. ITEMS ON COMMITTEE AGENDA

26.1 Committee Agenda

The agenda for Committees, Sub-Committees, panels, boards and working parties will be set in consultation with the Chairman of the relevant meeting by the relevant officers.

26.2 Correspondence referred to Committees

No letter shall be brought before the Council in the first instance if it relates to a matter within the scope of one of the Committees of the Council, unless in the opinion of the Leader or Chairman of the Council, it is urgent or necessary.

26.3 Requests from Members

Any member of the Committee/body concerned wishing to have an item placed on the agenda for a meeting of the Council, or Policy committee (other than by way of notice of motion in accordance with Rule 11) shall contact the Chief Executive (or in his absence the Monitoring Officer) requesting that an item be placed on the next available agenda for that body.

For the purposes of this rule, an item could be, but is not restricted to, a motion, topic for discussion, or request for information.

The decision of the Chief Executive, or in his absence, the Monitoring Officer shall be final as to whether the item falls within the terms of reference of that body. The Chief Executive will then decide in consultation with the Chairman of the Committee (or in the case of Council, the Chairman and the Leader) whether it should be included on the agenda.

26.4 Officer Recommendations

Where a report contains a recommendation from an officer, the recommendation shall be taken as the motion for discussion but shall not be a formal motion to be voted upon until it has been proposed and seconded.

27. ATTENDANCE BY COUNCILLORS AT MEETINGS OF WHICH THEY ARE NOT MEMBERS

Councillors have the right to attend meetings of committees and sub-committees of the Council, of which they are not members. When exercising this right Councillors attend as observers and must sit separately from the committee or sub-committee and may not participate or vote in such meetings. This rule allows Councillors to remain after the press and public have been excluded from the meeting (provided that certain conditions are met - see paragraph 10.4 of Part 4.2 of this constitution).

Amended: - Council 11 January 2010 Minute 311(a), Council 26 April 2010 minute 472(c), Council 1 November 2010 minute 212, Council 18 July 2011 minute 102(b), Council 9 January 2012 minute 333b, Council 29 February 2012 minute 400(a), Council 16 July 2012 minute 108 Council 13.01.14 minute 319; Council 26 February 2014 minute 381; Council 14 July 2014 minute 85(b); Council 23 January 2017 minute 371; Council 15 October 2018 minute; Council 22 July 2019 minute 111; Annual Council 13 May 2020 minute