

# **Council Constitution**

## **Part 4a – Procedural Standing Orders**

## **1. Interpretation and Chair's Ruling**

1. These Standing Orders are the rules which apply to the Council's Constitution and in particular to Council, Executive Cabinet and Panel meetings.
2. Standing Orders which relate specifically to Council meetings are identified as such.
3. References in these Standing Orders to the Civic Mayor, Chair of Council Business, Executive Leader or Chair, include the appointed Deputy (Deputies) or any other Member acting in their absence.
4. Any reference in these Standing Orders to "Panels" shall apply to the Executive Cabinet, and Standards Committee where appropriate.
5. References in these Standing Orders to the Civic Mayor shall include the Chair of any meeting where appropriate.
6. Any Standing Orders which refer to the Civic Mayor are also intended to refer to the Chair of Council Business where appropriate.
7. These Standing Orders should be read in conjunction with the following Corporate Documents:-
  - (i) Budget and Policy Framework
  - (ii) Call in of decisions outside the Budget and Policy Framework
  - (iii) Terms of Reference and Scheme of Delegation
  - (iv) Contracts Standing Orders and Financial Regulations
  - (v) Ethical Framework
  - (vi) Members Allowances Scheme
8. There are some other Council documents, which are also part of the Council's Constitution, which need to be taken into account to help understand these Standing Orders.
9. The ruling of the Civic Mayor or Chair of Council Business on the application and interpretation of Standing Orders is final.

## **2. Suspension and Amendment of Standing Orders**

1. With the exception of the Standing Orders marked by an asterisk (\*), any Standing Order may be suspended at Council Meetings either by a Motion included on the Agenda or by a Motion put to the meeting without notice and passed by a majority of those present and voting.
2. Standing Orders may be changed by Council either on a proposal of the Cabinet or by a Motion made at Council.

## **3. Civic Mayor and Deputy Civic Mayor**

1. \* The Civic Mayor will be elected, and the Deputy Civic Mayor will be appointed at the Annual Meeting of the Council.
2. \* If the Office of Civic Mayor becomes vacant during a Municipal Year it will be filled at the next Council Meeting, or, if a vacancy arises less than 14 days before that meeting, it will be filled at the next but one meeting.

3. If the office of Deputy Civic Mayor becomes vacant during a Municipal Year it will be filled at the next meeting.
4. The Civic Mayor will preside over the first and opening part of each Council Meeting (and in his/her absence the Deputy Civic Mayor). In the absence of both the Civic Mayor and Deputy Civic Mayor, the Council will appoint a Member to preside over this part of the meeting.

#### **4. Chair of Council Business**

1. Following any announcements or Special Business (including the submission of any urgent business) introduced by the Civic Mayor (or his/her nominee), the Civic Mayor (or other person presiding) shall retire from the Chair and invite the Chair of Council Business to assume the Chair for the remaining business.
2. If the Council Meeting is a Civic Meeting then Standing Order 4.1 shall not apply and the Civic Mayor (or other person presiding) shall remain in the Chair for the whole of the meeting.
3. In the absence of the Chair of Council Business, the Chair of the Overview (Audit) Panel shall chair this part of the meeting. In the absence of both the Chair of Council Business and Chair of the Overview (Audit) Panel, the Council will appoint another Member to chair the remainder of the meeting.

#### **5. Annual Meeting of the Council**

1. The Annual Meeting of the Council shall be held within 21 calendar days after the retirement of Councillors in election year and in March, April or May in any other year.
2. The Annual Meeting of the Council shall comprise both a Civic and Business element.
3. The Annual Civic Meeting will appoint:-
  - (i) a person to preside if the Civic Mayor is not present;
  - (ii) \* the Civic Mayor of the Council;
  - (iii) \* the Deputy Mayor of the Council;
  - (iv) the Chair of Council Business.
4. The Annual Business Meeting will:-
  - (i) appoint a person to preside over the first part of the proceedings if the Civic Mayor (or Deputy Civic Mayor) are not present;
  - (ii) receive any announcements from the Civic Mayor (or his/her nominee) and the Chief Executive;
  - (iii) at this juncture, the Civic Mayor (or other person presiding) shall retire from the Chair and the Chair of Council Business shall assume the Chair for the remaining business; (In the absence of the Chair of Council Business, the Chair of the Overview (Audit) Panel shall chair the meeting. In the absence of both the Chair of Council Business and the Chair of the Overview (Audit) Panel, the Council will appoint another Member to chair the remainder of the meeting);
  - (iv) approve any amendments to the Council's Constitution;
  - (v) appoint the Executive Leader;
  - (vi) receive an address from the Executive Leader on the Council's work programme for the next year;
  - (vii) agree the number of Members to be appointed to the Executive Cabinet and support groups and appoint the Executive Cabinet;
  - (viii) appoint Speakers Panels;
  - (ix) agree the number and size of Scrutiny Panels and such other Panels as the Council considers appropriate and appoint the membership of these Panels (including co-optees)

in accordance with the political balance rules; (Only non-Executive Members may vote on the number and membership of the Scrutiny Panels).

- (x) appoint a Standards Committee;
- (xi) agree the Terms of Reference and Scheme of Delegation;
- (xii) approve a programme of Civic and Business meetings of the Council for the year, together with a calendar of meetings for the Cabinet and Panels;
- (xiii) consider any business set out in the notice convening the meeting; and
- (xiv) make appointments to outside bodies.

## **6. Political Groups and Leaders**

1. A Political Group will be treated as constituted when the Chief Executive has received a notice in writing signed by two or more Members of the Council stating:-
  - (i) that the Members who have signed it wish to be treated as a Political Group;
  - (ii) the name of the Group;
  - (iii) the name of one Member of the Group who has signed the notice and who is to act as its Leader; and
  - (iv) the name of one Member of the Group who has signed the notice and who is to act as its Secretary.
2. The notice may specify the name of one other Member of the Group who has signed the notice and who is authorised to act in the place of the Leader. (This authorised Member is referred to as "the representative").
3. Each Political Group shall present to the Chief Executive, each Municipal Year, a statement which demonstrates the necessary freedom of its Members from the Whipping process on Speakers and Scrutiny Panels.
4. \* The Leader may be changed by a further notice in writing to the Chief Executive signed by a majority of the Members of the Group.
5. \* The name of the Group and of "the representative" (see also [Standing Order 6.2](#)) may be changed by a further notice in writing to the Chief Executive signed by the Leader of the Group or a majority of the Members of the Group.
6. \*A Member of the Council is to be treated as a Member of a Political Group if s/he had:-
  - (i) signed a notice in accordance with [Standing Order 6.1, or](#)
  - (ii) given the Chief Executive a notice in writing, signed by her/him and by the Executive Leader (or representative) of the Group or by a majority of Members of the Group, stating that s/he wishes to join the Group.
7. A person is to be treated as having ceased to be a Member of a Political Group when:-
  - (i) she/he has ceased to be a Member of the authority;
  - (ii) she/he has notified the Chief Executive in writing that she/he no longer wishes to be treated as a Member of the Group;
  - (iii) she/he joins another Political Group;
  - (iv) the Chief Executive receives a notice in writing signed by a majority of Members of the Group stating that they no longer wish her/him to be treated as a Member of it.
8. No person shall be treated as a Member of more than one Political Group at any given time.
9. The Chief Executive will keep and maintain a record of the current membership of each Political Group.

10. The Council shall appoint the Executive Cabinet from the Political Group holding the majority of seats on the Council.
11. The Leader of the second largest Political Group or combination of Groups (as chosen by the Members of the Group(s)), will be known as the Leader of the Opposition.
12. The name of the Leader of the Opposition should be notified to the Chief Executive who will report the name to the Council.

## **7. Establishment of Cabinet, Panels and Committees**

### **1. Executive Cabinet**

The Council shall establish an Executive Cabinet. The Executive Cabinet shall consist of:

- The Executive Leader
- Deputy Leader
- Up to Eight Executive Members

The Cabinet shall be supported by up to eight Lead Members/Assistant Executive Members.

### **2. Overview Panel**

The Overview Panel shall comprise of the Chairs of the Scrutiny Panels, the Executive Leader, the Deputy Leader and two other relevant Executive Members, the Chair of Council Business, two Front Line Councillors (who shall be Chair and Deputy Chair of the Panel) and one Opposition Group Member (subject to the political balance rules).

### **3. Speakers Panels**

The Council shall establish Speakers Panels to deal with various planning and regulatory matters, no Member of which shall be a Member of the Executive Cabinet.

### **4. Scrutiny Panels**

The Council shall establish the following Scrutiny Panels, each consisting of a maximum of twelve Members (none of whom shall be a Member of the Executive Cabinet):-

- Children's Services
- Health and Adult Social Care
- Place and External Relations.

The Place and External Relations Scrutiny Panel will include up to six non-elected **voting** members as follows:-

- Church of England representative
- Roman Catholic representative
- Two representatives appointed by The Third Coalition's Interfaith Network (neither of whom shall be from the Church of England or Roman Catholic Church)
- Two parent governor representatives

That pursuant to Section 8 of the Health and Social Care Act 2001 the Greater Manchester Health Joint Scrutiny Panel undertakes the scrutiny of strategic conurbation-wide and cross-boundary health services in respect of the Greater Manchester Strategic Health Authority, Greater Manchester Ambulance Service, Christie Hospital, Greater Manchester Workforce Federation and Specialist Children's Services provided by the Greater Manchester Trust and any other Greater Manchester

wide health activities which may be established in the future and that the Council appoints one representative to serve as a Member of that Scrutiny Panel.

## 5. Panels

Subject to **Standing Orders 7.8 and 7.9** where a matter is referred to a Panel, the decision of the Panel must be approved by the Council before it becomes effective.

6. Except in relation to those decisions which by statute must only be taken by the Full Council (or other specific body), the Council may delegate powers to Panels or Officers. Decisions taken by a Panel or Committee exercising delegated powers in accordance with **Standing Order 8.8** will become valid decisions of the Authority with immediate effect, unless the delegation has been previously withdrawn in relation to the particular item.
7. The Constitution will set out the Terms of Reference and Scheme of Delegations to Cabinet Members, Panels and Officers and will be reviewed annually.
8. No Panel may establish Sub-Committees

## 8. Urgent Matters Panel

1. In accordance with the Council Constitution and Terms of Reference an Urgent Matters Panel shall be established to determine those urgent decisions outside the budget and policy framework when it is not practical to convene a quorate meeting of the Council and if the Chair of the relevant Scrutiny Panel agrees that the matter is urgent.
2. All records of decision of Urgent Matters Panels must detail the reasons why a quorate meeting cannot be convened, together with the consent of the appropriate Scrutiny Panel Chair. In the absence of the relevant Scrutiny Panel Chair the consent of the Chair of Council Business will be sufficient.
3. Following a meeting of the Urgent Matters Panel, a full report of the meeting will be submitted to the next available Council Meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

## 9. Membership of Panels

1. In relation to Panels the Annual Business Meeting of the Council will:-
  - (i) subject to **Standing Order 7** above, determine the number of Members to serve on them;
  - (ii) allocate seats on them to the Political Groups in accordance with the principles of political balance; and
  - (iii) appoint named Members to them giving effect to the wishes (where expressed) of each Political Group.
2. Where the Council is entitled to seats on a joint authority or on a joint committee with another local authority or local authorities, appointments to such seats will be made by the Council.
3. Where the Council is entitled to three or more seats on a joint authority or joint committee ("relevant joint authority/joint committee"), the Council in making appointments will:-
  - (i) allocate seats on them to the Political Groups in accordance with "principles of political balance"; and
  - (ii) appoint Members to them giving effect to the wishes (where expressed) of the relevant Political Group.
4. "The principles of political balance" are:-

- (i) that not all seats on the Panel, or relevant joint authority or joint committee, are allocated to the same Political Group;
  - (ii) that the majority of seats on the Panel, or relevant joint authority or joint committee, are allocated to a Political Group holding the majority of seats on the Council;
  - (iii) that, subject to (a) and (b) above, the total number of seats held by each Political Group on all Panels of the Council taken as a whole is proportionate to that Group's membership of the authority;
  - (iv) that, subject to (a) and (c) above, the total number of seats held by each Political Group on individual bodies is proportionate to that Group's membership of the Council;
5. Where a Political Group wishes to change one of its appointed Members on a Panel or Committee the Council shall give effect to that Group's wishes.
6. \* Where there is a change in the political balance of the Council, the allocation of seats on Panels and Committees will be reviewed and changes will be made to reflect the new political balance.

## **10. Executive Members**

1. The Executive Cabinet shall comprise the Executive Leader, Deputy Leader and up to eight Executive Members appointed by the Council.
2. The six Members, nominated under [Standing Order 6.10](#) will have one of the following briefs:-
  - o Children's Services
  - o Finance, Resources and Transformation
  - o Adult Social Care, Homelessness and Inclusivity
  - o Climate Emergency and Environmental Services
  - o Education, Achievement and Equalities
  - o Inclusive Growth, Business and Employment
  - o Planning, Transport and Connectivity
  - o Population Health and Wellbeing
  - o Towns and Communities

## **11. Chairs and Deputy Chairs**

1. The Executive Leader and Deputy Leader will be the Chair and the Deputy Chair of the Executive Cabinet respectively.
2. Chairs and where required Deputies of all Panels will be appointed at the Annual Business Meeting of the Council or, whenever a vacancy occurs.
3. The Council may at any time remove a Chair or Deputy Chair of a Panel.
4. Where there is a vacancy for Chair, the Deputy Chair will act as Chair until the Council fills the vacancy.
5. Where there are vacancies for both Chair and Deputy Chair, the Panel will appoint one of its Members to be temporary Chair until the vacancy is filled by the Council.
6. Written notice of the resignation of a Chair or Deputy Chair will be effective on receipt by the Chief Executive.

7. If the Chair and Deputy Chair of a meeting are disqualified from acting, are absent, or decline to act as Chair, the meeting will appoint another Member to chair the meeting. If that Member has to leave, another Member should be appointed.
8. A joint meeting should appoint a Member to chair the meeting.

## **12. Convening Meetings**

1. The Chief Executive is responsible for convening all meetings (including the Executive Cabinet).
2. Dates and time of meetings will be agreed by the Council.
3. In addition to the scheduled meetings of the Executive Cabinet, Panels and other meetings may be convened by the Chief Executive in consultation with the Chair.
4. \* The Annual Meetings of the Council will take place on a date and time agreed by the Council subject to the provisions of [Standing Order 5.1](#).
5. \* A meeting of the Council will take place each year in order to calculate the budget requirement and set the Council Tax.
6. Special meetings of the Council may be convened at other times as decided by the Chair of Council Business, Monitoring Officer or by resolution of the Council. The time and place of the meeting will be determined by the Chief Executive, as Proper Officer, and notified in the summons.
7. Council meetings will start at 5.00pm unless otherwise determined by the Chair of Council Business.
8. Any five Members may give notice in writing to the Chair of Council Business to call an Extraordinary Meeting of the Council. This will take place at a time and date to be decided by the Chair of Council Business.
9. If the Chair of Council Business refuses or fails to call an Extra-Ordinary Meeting within seven days of the receipt of such a notice, then those five Members may call the Meeting.
10. Members of the Opposition Groups will be afforded the opportunity to present their alternative budget proposals to the meeting of the Council which will calculate the budget requirement and set the Council Tax.

## **12. Cancelling Meetings**

1. The Chief Executive may cancel or postpone any meeting, in consultation with the appropriate Chair, or the Chair of Council Business in the case of Council meetings, prior to the issue of the Agenda or subsequently if there is no business to be transacted – such cancellation to be notified in writing to Members.

## **14. Order Of Business**

1. The Agenda and order of business for meetings will be determined by the Chief Executive in consultation with the Chair of Council Business. Items may be withdrawn from an Agenda with the consent of the meeting.
2. The order of business may be altered at the meeting.

3. The first items of business at the Annual Meeting will be to appoint the Civic Mayor and appoint a Deputy Mayor for the Municipal Year.
4. Subject to **Standing Order 13.3** the business at Council meetings will be dealt with in the following order unless the Chair of Council Business in consultation with Chief Executive decides otherwise, or after a Motion has been passed (without discussion) under **Standing Order 13.2** :-
5. if the Civic Mayor and Deputy Mayor are absent, to appoint a person to preside over the first and opening part of each Council Meeting;
6. any announcements, or special business (including the submission of any urgent business) introduced by the Chair of Council Business (or his/her nominee).
7. At this juncture in any Business Meeting of the Council, the Civic Mayor (or other person presiding) shall retire from the Chair and invite the Chair of Council Business to assume the Chair for the remaining business.
8. In the absence of the Chair of Council Business, the Chair of the Overview (Audit) Panel shall chair this part of the meeting. In the absence of both the Chair of Council Business and Chair of the Overview (Audit) Panel, the Council will appoint another Member to chair the remainder of the meeting;
9. approval of the Minutes of the last meeting as a correct record;  
  
(The Chair of Council Business will move that the Minutes be approved and, if so approved, sign them as a correct record. There will be no discussion on the Minutes except as to their accuracy.)
10. any business remaining from previous meetings;
11. to receive any declarations of interest from Members;
12. to receive any announcements or communications from the Chair of Council Business, the Executive Leader, Members of the Cabinet or the Chief Executive, including the submission of petitions, which shall be presented without discussion by the Ward Member, where it relates to a Ward issue;
13. reports presented by the Cabinet and/or Members of the Executive Cabinet and to have an open debate on such matters;
14. \* to receive reports on decisions taken by the Urgent Matters Panel;
15. Scrutiny Panel reports;
16. to receive reports from the Standards Committee;
17. to receive reports from the Overview (Audit) Panel;
18. to receive reports from Council representatives on Outside Bodies;
19. to consider any other business on the summons to the meeting;
20. notices of Motion submitted under [Standing Order 14.1](#) (to be dealt with in their order of receipt by the Chief Executive);
21. to answer questions asked under [Standing Order 15.2](#);

22. appointments to Outside Bodies.

## **15. Notices of Motions to Council**

1. Except for the Motions listed in [Standing Order 19.1](#) written notice of every Motion must be received by the Chief Executive no later than 12.00 noon on the fifth working day before the meeting (e.g. the Monday in the week preceding the Council meeting to be held on the Tuesday, unless that falls on a Public Holiday in which case the notice must be received by noon on the sixth working day before the meeting).
2. Motions must be signed by the Proposer and two other Members.
3. The Proposer of the Motion will be taken as being the first signature on the Notice of Motion, unless otherwise indicated on the Notice.
4. The Motion will be withdrawn from the Agenda if the Proposer is not present at the time that it is due to be considered.
5. The Chief Executive will keep any Motion received, together with a record of the time and date of receipt, in a register available for public inspection.
6. Motions must be about either:-
  - a. matters for which the Council has a responsibility; and/or,
  - b. matters which directly affect Tameside.
7. Following consultation with the Chief Executive, the Chair of Council Business may:-
  - a. exclude from the Council Agenda any Motion which she/he considers to be out of order;  
or
  - b. amend any Motion subject to the agreement of the Proposer.
8. Motions will be listed on the Council Agenda in the order received.
9. The Proposer may withdraw a Motion at any time prior to its consideration. Such a withdrawal must be put in writing to the Chief Executive.
10. When the Proposer of a Motion is unable to attend the Council meeting s/he may write to the Chair of Council Business authorising another Member who signed the Motion to move it. If no such authority has been given, the Motion fails.
11. The Proposer of a Motion may withdraw a Motion at the meeting only with the approval of the meeting.
12. Motions containing proposals which would:-
  - a. increase the Capital and/or, Revenue Expenditure; and/or
  - b. reduce the income of any Service must first be referred to the relevant Executive Member.
13. Prior to consideration of a Motion, the Chair of Council Business will invite the meeting to decide whether it should be referred to the appropriate Executive Member (or Executive Team) for a report.

## **16. Questions**

1. A Member of the Council may ask the Executive Leader, an Executive Member, a Chair of a Panel any question without notice upon an item set out in the Agenda, except in so far as questions relate to the content of delegated decisions taken by a Speakers Panel.
2. A Member of the Council may, if three clear days' notice in writing is given to the Chief Executive setting out the question, ask the Executive Leader, An Executive Member, the Chair of any Panel, Main Opposition Spokesperson or the Chief Executive, any question on any matter in relation to which the Council has powers or duties or which affect the Borough.
3. Every question shall be put by the Member and answered without discussion, but the person to whom the question has been put may decline to answer.
4. When the Member, who has submitted the question, is unable to attend the meeting, s/he may write to the Chair of Council Business authorising another Member to put the question on their behalf at the meeting. In the absence of such authorisation the question shall be withdrawn.
5. An answer may take the form of:-
  - a. a direct oral answer;
  - b. where the desired information is contained in a publication of the Council, a reference to that publication; or
  - c. where the reply to the question cannot be conveniently given orally, a written answer circulated to Members of the Council within a period of 14 calendar days from the date of the Council Meeting.
6. Member asking a question under [Standing Order 15.2](#) may ask one supplementary question without notice of the Member to whom the first question was asked. The supplementary question must arise out of the original question or the reply.

## **17. Quorum**

1. \* The quorum for meetings of Council will be one quarter of it's membership.  
  
[In determining that a Quorum for a joint meeting is present, a Member who sits on more than one of the Panels involved shall be counted towards each individual Quorum].
2. There must be a Quorum within fifteen minutes of the scheduled start time of a meeting, otherwise it cannot take place.
3. If, during the course of the meeting, the number of Members present falls below the Quorum the meeting cannot continue and any outstanding business will be carried forward to the next meeting.

## **18. Minutes of Meetings**

1. \* The Chief Executive will prepare the Minutes of every meeting.
2. \* The Minutes will be submitted for approval and signed as a correct record at the following meeting, unless that meeting is an Extraordinary meeting in which case they may be submitted to the next Ordinary meeting subject to **Standing Order 17.3** below.
3. \* 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 of 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.

4. \* The names of Members present at a meeting will be recorded in the Minutes.

#### **19. Minutes Submitted to Council**

1. When moving approval of Minutes of Council, Executive Cabinet, Overview (Audit) Panel and Standards Committee, the appropriate Chair may:-
  - a. correct any factual inaccuracy; and/or
  - b. following an explanation, seek the consent of Council to take back any item for reconsideration by the Executive Cabinet, Overview Panel or Standards Committee;
  - c. amend the Minutes without notice (with the exception of the Minutes of the Standards Committee).
2. If a Chair declares a prejudicial interest in part of any Minutes under consideration at the Council Meeting, s/he must move them with the exception of that item, such Minutes to be moved by the Deputy Chair (or another Member).

#### **20. Motions which may be Moved without Notice at Council**

1. The following Motions may be moved without notice:-
  - (a) to appoint a Member to chair the meeting;
  - (b) to approve or correct the Minutes of the previous meeting;
  - (c) to change the order of business on the Agenda;
  - (d) to refer something to an appropriate body or individual;
  - (e) to combine debates on items on the Agenda;
  - (f) to appoint a Panel or Member arising from an item on the summons for the meeting;
  - (g) to withdraw an item on the Agenda;
  - (h) to move Panel Minutes/proceedings and reports;
  - (i) to withdraw or amend any Motion or Amendment (by the mover);
  - (j) to not hear a Member further;
  - (k) to require a named Member to leave the meeting;
  - (l) to extend the time limit on speeches;
  - (m) to suspend particular Standing Orders (see [Standing Order 2.1](#));
  - (n) to exclude the public during consideration of confidential business;
  - (o) to go to the next business. If seconded, the vote will then be taken, if carried, the item under discussion will be treated as withdrawn;
  - (p) to put the question immediately to the vote. If seconded, the vote will then be taken. If carried, the Mover of the original Motion shall have a right of reply;
  - (q) to adjourn the debate. If seconded, the vote will then be taken, and if carried, there are no rights of reply. On resuming the debate, the Member who moved the original Motion will have the right to speak first;
  - (r) to adjourn the meeting. If seconded and before taking the vote, the Chair will deal with any unopposed business (i.e. against which no amendment has been notified in accordance with **Standing Orders**). If the Motion to adjourn is carried there is no right of reply allowed;
  - (s) to invite a Member to remain under **Standing Order 35 (Prejudicial Interest)** .

**(Note:** During the course of a debate Motions (m) to (r) may only be moved by Members who have not already spoken in the debate).

20. A Member may not move any of the Motions in **Standing Order 19.1** more than once at a meeting. If a Motion under that Standing Order is not carried, it cannot be moved again on the same item unless the Chair decides the circumstances have changed significantly.

#### **21. Submission of Motions and Amendments**

1. Motions and Amendments must relate to items included on the Agenda accepted by the meeting as urgent business.
2. An Amendment must be relevant to the Motion. Amendments may:-
  - a. refer the Motion to the Executive Cabinet, Executive Member, Panel for further consideration; or
  - b. add and/or delete words, but such omission, insertion or addition of words shall not have the effect of negating the Motion before the Council.
3. order in which Amendments are taken will be determined by the Chair.
4. An Amendment cannot be considered if it is inconsistent with an Amendment previously adopted or repeats an Amendment previously rejected.
5. The Mover of a Motion may, with the consent of the Mover of an Amendment, incorporate an Amendment into the Motion. If this happens, the Mover of the Amendment will have the same speaking rights as if the Amendment had been debated separately.
6. Motions and Amendments cannot be debated until they have been moved and seconded.
7. When seconding a Motion, a Member may reserve their speech until later in the debate.
8. Only one Amendment may be moved at a time. No further Amendments can be moved until the previous Amendment has been dealt with.
9. Each Amendment must be voted on separately.
10. If an Amendment is carried, the amended Motion becomes the Substantive Motion to which further Amendments may be moved.
11. The mover may withdraw an Amendment at any time in which case no debate will be allowed.
12. A Member may only move one Amendment on an item.
13. A Member may withdraw a Motion which s/he has moved with the consent of both the meeting and the seconder. No Member may speak on the Motion after the mover has asked permission to withdraw it unless permission to withdraw is refused.

## **22. Speeches at Council**

1. Speeches on Motions and Amendments will be in the following order:-
  - a. Mover then Secunder of a Motion;
  - b. Mover then Secunder of any Amendment;
  - c. any other Member including those who have reserved the right to speak;
  - d. right of reply of Mover of the original Motion.
2. A Member may rise during a debate and request the Member speaking to "Give Way" to him/her. If the speaker is so willing then s/he shall take their seat and allow the other Member to speak on the matter.
3. The right of reply is to enable points made in the debate to be answered. New matters must not be introduced.
4. A Member moving a motion may nominate another Member (with the exception of the Mover of a defeated Amendment) to exercise the right of reply.

5. A Member may only speak once on a Motion or Amendment except;
  - a. when exercising a right of reply;
  - b. when raising a point of order (this is a request for the Chair to rule on an alleged irregularity in either the Constitution or conduct of the meeting) the procedure set out below will be followed:-
    - (i) the Member raising the point of order must refer to either the Standing Order or the Procedural Rule in question and state how it has been breached;
    - (ii) a ruling must be given by the Chair on the point of order before the debate continues;
    - (iii) the ruling of the Chair on the matter will be final and there will be no discussion on the ruling.
  - c. when giving a personal explanation (i.e. when a Member believes that a later speaker has misunderstood or misquoted him/her);-
    - (i) the Member must ask the permission of the Chair to interrupt the speaker;
    - (ii) the ruling of the Chair on the matter will be final and there will be no discussion on the Chair's decision;
  - d. when exercising a reserved right to speak:-
    - (i) the right to speak later in the debate must be reserved when seconding a Motion or Amendment;
    - (ii) this right is subject to the Member being called upon by the Chair to speak.
  - e. a Shadow Spokesperson will be allowed to speak more than once in any debate at a Council Meeting in respect of the Executive Member brief for which they are Shadow Spokesperson.
  - f. the Executive Leader and Leader of the Main Opposition Group will be allowed to speak more than once on any debate at meetings of the Council.
6. A Member may only speak about the matter under debate except when raising a point of order or giving a personal explanation. A personal explanation shall be continued to some material part of a former speech by the Member which may appear to have been misunderstood in the present debate.
7. Subject to [Standing Order 21.8](#) speeches must be no longer than ten minutes.
8. An automatic five minute extension will be granted to the mover and the seconder of a Motion or Amendment calculating the budget requirement and/or setting the Council Tax at the meeting referred to in [Standing Order 11.5](#).
9. Members should address the meeting through the Chair.
10. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.
11. Whenever the Chair rises during a debate, the Member then standing shall resume his/her seat and the Council shall be silent.
12. If any question arises at a meeting of the Council, Executive Cabinet, Panel or Committee as to the appointment, promotion, dismissal, salary, pension or conditions of service, or to the conduct or any person employed by the Council, or such other matters which relate to exempt information, such question shall not be the subject of discussion until the meeting has decided whether or not the power of exclusion of the public under Section 100(A) (4) of the Local

Government Act 1972 shall be exercised, in view of the likely disclosure of exempt information as defined in Section 100(1) of the Act.

13. The Chair of Council Business (or other person presiding) shall have the right to determine that there has been appropriate debate on any item under consideration and shall call on the appropriate Executive Member to give a final response on the item.

## **23. Voting**

1. Members will vote by show of hands.
2. \* At Council:-
  - a. six Members may demand, before the vote is taken, that the names of those voting be recorded in the Minutes;
  - b. Members may not vote unless they are in the meeting when the matter is put to the vote.
3. A Member may demand that his/her vote or abstention from voting be recorded in the Minutes, immediately after a vote is taken, at a meeting of the Council, Cabinet or Panel.
4. Subject to the provisions of any enactment and **Standing Order 22.6 and 22.7** all questions will be decided by a majority of Members present and voting.
5. Where there is an equality of votes, the Chair may exercise a second or casting vote.
6. \* A decision to promote or oppose a local or personal Bill in Parliament under Section 239 of the Local Government Act 1972 or to [apply for or] oppose an order under the Transport and Works Act 1992 will require to be passed or by a majority of the whole number of the Council (i.e. 29 affirmative votes are required).
7. Where there are more than two persons nominated for any position to be filled by the Council, and with votes given, there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

## **24. Changing Decisions (Six Months Rule)**

1. \* A motion or Amendment to rescind a decision made out at a meeting of the Council made within the last six months may not be moved unless a Notice of Motion to rescind the decision is submitted and signed by at least 30 Members and subsequently approved by the Council.
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 30 Members. Once the Motion or Amendment is dealt with, no one can propose a similar motion or amendment for six months.

## **25. Conduct at Meetings**

1. If the Chair calls the meeting to order or rises during a debate, Members shall be silent and any Member then standing, shall resume their seat and the Council shall be silent.
2. If a Member behaves improperly or offensively or deliberately obstructs business, the Chair may direct the Member to be silent.
3. If the Member continues such behaviour the Chair may direct either that the Member leave the meeting or that the meeting be adjourned for a specified period.

4. If a member of the public interrupts the proceedings, the Chair will warn the person concerned. If the interruption continues, the Chair may order his/her removal from the meeting.
5. If there is a disturbance which, in the opinion of the Chair interrupts proceedings, or makes business impossible, the Chair may call for the room (or any part of it) to be cleared and may adjourn the meeting for as long as necessary.

## 26. Recording and Filming of Meetings

1. *Recording and filming of meetings of the council held in public can be filmed and recording in accordance with the provisions of the Openness of Local Government Bodies Regulations 2014*

## 27. Public Notice of Meetings and Availability of Documents

1. At least five clear working days before a meeting i.e. not including the day of despatch, the day of the meeting, Sundays or any other days which the Council Offices are normally closed (Bank Holidays and during the Christmas period):-
  - a. notice of the date, time and place must be displayed at the venue for the meeting;
  - b. the Agenda and reports (except confidential reports) must be made available for public inspection when issued to Members. The public may also inspect any non-confidential background documents used in the preparation of, and listed in, each report.
2. A Meeting may be called at shorter notice in exceptional circumstances, but the Agenda and reports must be made available for public inspection when issued to Members.
3. \* An item of urgent business which has not been available in accordance with **Standing Order 261** may be considered at a meeting, on the recommendation of the Chair, and the reason(s) for urgency must be recorded in the Minutes. Any non-confidential report relating to such an item must be made available for public inspection once it has been added to the Agenda.
4. \* The public may make a copy of any Agenda, reports and background documents available on payment of a reasonable fee.
5. \* At a meeting, a number of copies of the Agenda and non-confidential reports will be made available for public use free of charge.

## 28. Rights of Members

1. A Member has the right to inspect any document which is in the possession, or under the control, of the Executive and contains material relating to any business to be transacted at a public meeting subject to the provisions of **Standing Orders 27. 3 and 27.4**.
2. \* Any document which contains material relating to a matter where the matter contains material relating to:-
  - a. any business transacted at a private meeting;
  - b. any decision made by an individual member in accordance with executive arrangements;  
or
  - c. any key decision made by an officer in accordance with executive arrangements;

shall be available for inspection by any Member of the Council when the meeting concludes or, where an executive decision is made by an individual Member or a Key Decision made by an officer, immediately after the Decision has been made.

3. Where it appears to the Proper Officer that compliance with **Standing Orders 27.1** in relation to a document or part of a document would involve the disclosure of exempt information as set

out within paragraphs 1, 2, 4, 5 and 7 of Part 1 of Schedule 12A to the Local Government Act 1972 then that document or part shall be exempt from inspection by a Member.

4. \* Members of a Scrutiny Panel shall be entitled to a document or part of a document which contains exempt or confidential information when it is relevant to an action or decision that s/he is reviewing or scrutinising, or which is relevant to any review contained in any programme of work of such a Panel.

## **29. Public Admission to Meetings**

1. \* All meetings are open to the public subject to **Standing Order 28.2**.
2. \* Members of the public and press may only be excluded from a meeting of the Council, public meeting of the Cabinet or a Panel either in accordance with the **Access to Information Rules** or [Standing Order 24.5 \(Disturbance by the Public\)](#).

## **30. Public Participation**

### **General Principles**

1. Citizens will only be allowed to address the meeting subject to the approval of the Chair.
2. Scrutiny Panels shall not consider any matter relating to standards of behaviour, conduct, ethics or probity, directly or indirectly involving any Member or Officer of the Council.
3. Any such matter(s) shall, without debate, be immediately referred to the Monitoring Officer (and in the case of financial matters also the Assistant Executive Director (Finance)).

### **Speakers Panel (Planning) and Strategic Planning and Capital Monitoring Panel (when considering Planning Applications)**

4. Any person (or their representative) who submits a planning application, which is to be considered by the Speakers Panel (Planning) or the Strategic Planning and Capital Monitoring Panel will have the opportunity to address the Panel for a maximum of five minutes, subject to them having given prior written notice to the Head of Planning.
5. One representative on behalf of any objectors to a planning application being considered by the Speakers Panel (Planning) or the Strategic Planning and Capital Monitoring Panel will have the opportunity to address the meeting, for a maximum of five minutes, subject to having given prior written notice to the Head of Planning.

### **Scrutiny Panels**

6. Any person called upon to give evidence to a Scrutiny Panel will be afforded the opportunity to address the Panel. They will be expected to do so in an appropriate manner and with regard to the Council's Procedural Rules. Such persons will be given due notice of the date of the Scrutiny Panel and those matters that they will be questioned upon.
7. Members of the public are expected to act and behave in a manner consistent with the citizen responsibilities set out in [Article 3.2](#) of the Council's Constitution.

### **Council Meetings**

8. At ordinary meetings of the Council members of the public can raise questions in accordance with the procedure laid down in **Standing Order 29.12** below.

9. At Ordinary Meetings of the Council, members of the public can submit a question to be asked on their behalf by the Chair of Council Business on matters that are relevant to the Council. The procedure for submitting and dealing with questions is set out below:
- a) There will be a maximum of 30 minutes for public question time;
  - b) There will be a maximum of one question per individual or organisation at each Council meeting.
  - c) All questions must be submitted in writing at least three clear working days in advance of the meeting (i.e. for a meeting on Tuesday all questions must be submitted by the Wednesday before the meeting).
  - d) questions must be about a matter for which the Council is responsible;
  - e) Only residents of the Borough can raise questions;
  - f) A question can be rejected if it:
    - (i) requires or is likely to lead to the disclosure of exempt or confidential information;
    - (ii) is defamatory, frivolous, offensive or factually incorrect;
    - (iii) relates to a quasi-judicial matter;
    - (iv) is substantially the same as a question that has been asked at a Council meeting in the previous six months;
    - (v) is formed to make a statement rather than to receive information.
  - g) All questions which meet the criteria will be read out by the Chair of Council Business and responses will be made by the Executive Leader or other Member of the Executive Cabinet or their nominee.
  - h) Where it is not possible due to time constraints to respond verbally at the Council meeting the response will be made in writing.

### **31. Agenda and Reports**

1. The Agenda for meetings will be prepared by the Chief Executive where appropriate in consultation with the Chair of Council Business (or appropriate Chair) and appropriate officers of the Executive Team.
2. The Agenda will indicate any items which are likely to be treated as confidential together with the reasons for confidentiality given by the Proper Officer (as advised by the relevant officer within the Executive Team).
3. Any reports relating to such items will be marked to show that they should be treated as confidential and will give reasons for confidentiality.

### **32. Executive Leaders Annual Keynote Address**

1. The Chair of Council Business shall chair a Civic Meeting of the Council in November/December each year to which the Executive Leader will present a State of the Area address.
2. The Leader of the Main Opposition Group will be entitled to respond to the contents of the address with a final right of reply being reserved for the Executive Leader.

### **33. Disciplinary Action**

1. \* No disciplinary action within the meaning of regulation 2 of the Local Authorities (England) (Standing Orders) Regulations 2001 (as amended) except as described in **Standing Order 32.2**, may be taken by or on behalf of the Council against the Head of Authority's Paid Service or its Chief Finance Officer or Monitoring Officer other than in accordance with a recommendation made by a designated independent person under regulation 7 of those regulations.

2. \* The action mentioned in **Standing Order 32.1** is suspension of the Officer on full pay for a period not exceeding two months for the purpose of investigating the alleged misconduct.

#### **34. Visits and Conferences**

1. Representation at externally arranged visits and Conferences etc., will be determined in accordance with the Terms of Reference and Scheme of Delegation.

#### **35. Personal Interests**

##### **35.1**

1. A Member must regard him/herself as having a personal interest in any business if it relates to or is likely to affect:
- a)
- (i) any body of which s/he is member or in a position of general control or management and to which s/he is appointed or nominated by the authority;
  - (ii) any body-
    - o exercising functions of a public nature;
    - o directed to charitable purposes; or
    - o one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which s/he a member or in a position of general control or management;
  - (iii) any employment or business carried on by them;
  - (iv) any person or body who employs or has appointed them;
  - (v) any person or body, other than a relevant authority, who has made a payment to them in respect of their election or any expenses incurred by them in carrying out their duties;
  - (vi) any person or body who has a place of business or land in the authority's area, and in whom s/he has a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
  - (vii) any contract for goods, services or works made between the authority and them or a firm in which s/he is a partner, a company of which s/he is a remunerated director, or a person or body of the description specified in paragraph (vi);
  - (viii) the interests of any person from whom s/he has received a gift or hospitality with an estimated value of at least £25;
  - (ix) any land in the authority's area in which s/he has a beneficial interest;
  - (x) any land where the landlord is their authority and they are, or a firm in which they are a partner, a company of which they are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
  - (xi) any land in the authority's area for which s/he has a licence (alone or jointly with others) to occupy for 28 days or longer; or
- b) a decision in relation to that business might reasonably be regarded as affecting their well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;
2. In sub-paragraph (1)(b), a relevant person is:-
- a) a member of their family or any person with whom they have a close association; or
  - b) any person or body who employs or has appointed such persons, any firm in which s/he is a partner, or any company of which s/he is a director;
  - c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
  - d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

## **35.2**

1. Subject to sub-paragraphs (2) to (7), where s/he has a personal interest in any business of their authority and s/he attends a meeting of their authority at which the business is considered, s/he must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
2. Where s/he has a personal interest in any business of the authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), s/he need only disclose to the meeting the existence and nature of that interest when they address the meeting on that business.
3. Where s/he has a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), s/he need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
4. Sub-paragraph (1) only applies where s/he is aware or ought reasonably to be aware of the existence of the personal interest.
5. Where s/he has a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in the authority's register of members' interests, s/he must indicate to the meeting that they have a personal interest, but need not disclose the sensitive information to the meeting.
6. Subject to paragraph 12(1)(b), where s/he has a personal interest in any business of their authority and s/he has made an executive decision in relation to that business, s/he must ensure that any written statement of that decision records the existence and nature of that interest.
7. In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

## **36. Prejudicial Interests**

### **36.1**

1. Subject to sub-paragraph (2), where a member has a personal interest in any business of the authority s/he also has a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.
2. A member does not have a prejudicial interest in any business of the authority where that business –
  - a) does not affect their financial position or the financial position of a person or body described in paragraph 8;
  - b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to s/he or any person or body described in paragraph 8; or
  - c) relates to the functions of the authority in respect of -
    - i. housing, where s/he is a tenant of the authority provided that those functions do not relate particularly to their tenancy or lease;
    - ii. school meals or school transport and travelling expenses, where s/he is a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
    - iii. statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where s/he is in receipt of, or are entitled to the receipt of, such pay;
    - iv. an allowance, payment or indemnity given to members;
    - v. any ceremonial honour given to members; and

vi. setting council tax or a precept under the Local Government Finance Act 1992

36.2 A Member also has a prejudicial interest in any business before an overview and scrutiny committee of the authority (or of a sub-committee of such a committee) where –

- a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
- b) at the time the decision was made or action was taken, s/he was a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and s/he was present when that decision was made or action was taken.

### **35.3**

1. Subject to sub-paragraph (2), where a member has a prejudicial interest in any business of the authority –

- a) s/he must withdraw from the room or chamber where a meeting considering the business is being held –
  - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
  - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

### **37. Membership of Secret Organisations**

1. Every Member of the Council and Members of the Standards Committee will be required to declare whether or not s/he is a member of a secret organisation, including the Freemasons. Secret means that the objects of the organisation or the duties, obligations or secrets imposed upon or accepted by its members, or details of the membership itself of the organisation, are protected in any way by penalties which may be imposed upon its members.
2. Such declarations shall be recorded in the Members' Register of Interests which shall be available for public inspection.

### **38. Sealing of Documents**

1. The Common Seal of the Council shall be kept in the custody of the Director (Governance and Pensions).
2. The Common Seal shall not be impressed upon any document except under the direction of an Officer of the Council duly authorised by the Director (Governance and Pensions) and every impression of the seal shall subsequently be certified upon the document by the Director (Governance and Pensions) or an officer authorised by the Director (Governance and Pensions) for the purposes of this Standing Order.
3. Every impression of the seal shall be recorded in a book containing particulars about the document upon which the seal has been impressed.
4. Where the implementation of any decision of the Council, or of the Executive, a Panel, or Officer exercising delegated powers, requires the affixing of the Common Seal to a document, such decision shall be deemed to authorise the affixing of the Common Seal to that document.

### **39. Officers**

1. For the purposes of Section 4 of the Local Government and Housing Act 1989, the Head of the Paid Service shall be the Chief Executive.

2. For the purposes of Section 5 of the Local Government and Housing Act 1989, the Monitoring Officer shall be the Director (Governance, and Pensions).
3. For the purposes of Section 151 of the Local Government Act 1972, the officer with responsibility for the administration of the financial affairs of the Council (“the Chief Finance Officer”) shall be the Director of Resources.
4. Where the appointment of a “Proper Officer” is required for any purpose of the Local Government Act 1972, or any other enactment, the Proper Officer in relation to that purpose shall be the Chief Executive, unless the Council has resolved to appoint another officer for that particular purpose.
5. Except in relation to those decisions which must by statute be taken by the full Council, the Executive, Panel, or Committee, the Council (or, unless the Council otherwise direct, a Panel with delegated powers in relation to the matter) may further delegate powers to individual officers. Where a matter is so delegated, the decision of the officer does not require approval by the Council (or Panel) unless the delegation has previously been withdrawn in relation to the particular item.
6. The Scheme of Delegation will specify those powers of the Council which for the time being are delegated to officers, stating the title of the officer by whom each power is exercised. This does not apply if the delegation is made for a period not exceeding six months.

#### **40. Political Assistants**

1. \*The making of an appointment of a Political Assistant to a political group shall be prohibited until such posts have been allocated to all groups qualifying for one.
2. \* The allocation of a Political Assistant post to a group which does not qualify for one shall be prohibited.
3. \* The allocation of more than one Political Assistant to any political group shall be prohibited.

#### **41. Officer Appointments**

1. The involvement of Members in the appointment of officers be restricted to that of the Head of the Paid Service and the Senior Management Team (which consists of all officers more senior than Service Unit Manager) together with the appointment of Political Assistants made under **Standing Order 39.1** .

#### **42. Interest of Officers in Contracts and Other Matters**

1. The Chief Executive shall record in a book to be kept for the purpose particulars of any notice given by an Officer of the Council under Section 81(1) of the Local Government Act 2000, of a prejudicial interest in a contract, and the book shall be open during office hours to the inspection of any Member of the Council.
2. Every Senior Officer of the Council, (defined as all Officers above Service Unit Manager), shall declare whether or not s/he is a member of an organisation, including the Freemasons, which is secret in the objects of the organisation or the duties, obligations or secrets imposed upon, or accepted by, its members, or details of the membership itself of the organisation, are protected in any way, by penalties, which may be imposed upon its members, and any such membership and the organisation shall be recorded in a book, to be kept for this purpose by the Chief Executive, and such a book shall be open during office hours to the inspection of any Member or employee of the Council.

3. For the purpose of this **Standing Order 41, Senior Officer**” includes the Senior Management Team and all Service Unit Managers and Lead Officer(s) for a procurement process (as defined in Procurement Standing Orders), and persons shall be deemed to be related if they are a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece or the spouse or partner of any of the preceding persons.

#### **43. Relatives or Members of Officers**

1. A candidate for any appointment under the Council who knows that s/he is related to any Member or Officer of the Council shall when making application declare that relationship. A candidate who fails to disclose such a relationship shall be disqualified for the appointment and if appointed shall be liable to dismissal without notice. Every Member and Senior Officer of the Council (as defined in **Standing Order 41.2**) shall disclose to the Chief Executive any relationship known to him/her to exist between themselves and any person whom they know is a candidate for an appointment under the Council. Any such disclosures shall be reported to the Council or to the appropriate Panel by the officer to whom they have been made.
2. The purport of the Standing Order shall be included in any form of application.
3. Any officer related to an applicant for a post with the Authority shall sign a declaration that s/he has not been involved with the appointment to such post.

#### **44. Restrictions on Voting**

1. \* A Member will not be permitted to vote on any matter concerning rents of local authority housing at any time when any rent which has become payable by the Member in respect of his/her tenancy where the local authority remains unpaid for two months or more after becoming payable.
2. \* A Member will not be permitted to vote on certain financial matters where the Member concerned is two months or more in arrears in the payment of Council Tax.
3. \* In the event of a Member being in such arrears referred to in (1) or (2) above s/he must disclose the fact and shall not vote on any question with respect to the financial matter.

#### **45. Canvassing of a Recommendation By Members**

1. Canvassing of Members or officers of the Council or any Panel of the Council directly or indirectly for any appointment (either of an employment or contractual nature) under the Council shall disqualify the applicant concerned for that appointment. The purport of this paragraph of this Standing Order shall be included in any form of application
2. A Member of the Council shall not solicit for any person for any appointment under the Council, but this shall not preclude a Member from giving a written testimonial of a candidate's ability, experience, or character for submission to the Council with an application for appointment/contract.

#### **46. Member and Officer Conduct**

1. Member and Officer behaviour and conduct will be in accordance with the provisions set out in the Council's Ethical Framework.

#### **47. Prohibition of Smoking at Council Meetings**

1. There will be a prohibition of smoking in meetings of the Council and all Panel/Committee meetings.

#### **48. Opposition Spokespersons**

1. The Leader of the Main Opposition Group shall nominate individuals (from within his/her own Group) to act as the "Shadow Opposition Spokesperson" to Executive Members.
2. The Shadow Opposition Spokesperson will be permitted to speak more than once in any debate at meetings of the Council in respect of the Executive Member brief they "shadow".
3. The Leader of the Main Opposition Group will also be afforded the facility to speak more than once on any debate at a meeting to the Council. This facility is also extended to the Executive Leader.

#### **49. Scrutiny Panel Reports**

1. Scrutiny Panel Reports should normally be presented to the Overview Panel, however, when presented to Council: The Chair of the appropriate Scrutiny Panel (or Deputy Chair in the absence of the Chair) shall present the Scrutiny Panel's report and a response shall be given by the Executive Member on the report.
2. The Chair of Council Business (or other person presiding) shall then invite other Members to speak on the content of the report and the Executive Member to respond where appropriate.
3. The Chair of the Scrutiny Panel (or Deputy Chair in the absence of the Chair) will be invited to conclude the debate.