

Appendix 4 - Standing Orders of the Full Council

Introduction

The purpose of these Full Council rules of procedure (“FCR”, often referred to as the “Standing Orders”) is to regulate the proceedings and business of the Full Council of Epsom and Ewell Borough Council and ensure its business is carried out transparently and in accordance with good governance. The rules are there to guide and assist councillors with good decision making. They should not be used to obstruct the process of working efficiently and effectively. Definitions for key terms are available in Annex 1.2 of the [Operating Framework](#).

1. FCR 1 - Calling a meeting

- 1.1. The Full Council will meet on such dates each year as are agreed when the calendar of meetings is approved or amended (ordinary meetings) or as required.
- 1.2. The Annual Meeting shall normally be held on an appropriate date in May at 19.00 hours.
- 1.3. The Budget Meeting shall normally be held on an appropriate date in February at 19.30 hours.
- 1.4. A meeting of the Full Council can be called at any time by the Mayor (an extraordinary meeting).
- 1.5. The Chief Executive, Chief Finance Officer and Monitoring Officer can each at any time direct that a meeting of the Full Council be called (an extraordinary meeting).
- 1.6. Any five councillors acting together may direct that a meeting of the Full Council be called (an extraordinary meeting). The councillors shall first send a joint written request asking the Mayor to call a meeting (the request should be sent to the Head of Legal Services). If the Mayor refuses or does not call a meeting within seven days after receiving the request, the councillors may direct the Head of Legal Services to do so forthwith. The request shall set out the business to be considered at the meeting.
- 1.7. In relation to every meeting, the Proper Officer shall send to all councillors a Summons to the meeting at least five clear working days before the day of the meeting.
- 1.8. The Summons shall specify the business proposed to be transacted at the meeting to which it relates.
- 1.9. Unless the contrary is set out in the Summons, meetings of the council shall begin at 19:30 hours and shall be held in the Council Chamber at The Town

Hall in Epsom.

2. FCR 2 - Order of business

2.1. At the Annual Meeting, the order of business shall be as follows:

- i. Appointment of the Mayor.
- ii. Appointment of the Deputy Mayor.
- iii. Appointment of a Leader (in conjunction with Annex 4-10 of the Operating Framework)
- iv. To receive any declarations of interest.
- v. Consideration of the minutes of the previous meeting(s).
- vi. Any business required by statute to be done.
- vii. Approval of the Constitution, with or without changes.
- viii. Appointments to committees (including any joint committees), sub-committees and panels in accordance with the political balance rules as appropriate.
- ix. Appointments of committee, sub-committee and Panel Chairs.
- x. Appointments to Outside Bodies except where appointment to those bodies has been delegated by the Full Council to a Chair or confirmation of such, if such appointments have been previously made on a fixed term basis and that fixed term has not expired.
- xi. Any business which in the view of the Mayor and Chief Executive is urgent and cannot be dealt with by one of the council's committees.
- xii. Approve a programme of ordinary meetings of the Full Council for the year.

2.2. At ordinary meetings the order of business shall be as follows:

- i. Appointment of a person to preside if the Mayor and Deputy Mayor are both absent.
- ii. To receive any declarations of interest.
- iii. Consideration of the minutes of any previous meeting not already approved.
- iv. Any business required by statute to be done.
- v. To receive such communications or deal with such business as the Mayor may wish to lay before the Full Council.
- vi. Business remaining from the previous meeting.

- vii. To receive any petitions from the public in accordance with the Petition Scheme (Annex 6.1 of the [Operating Framework](#)).
 - viii. Questions from councillors.
 - ix. Leader and Chairs' statements.
 - x. Recommendations from committees.
 - xi. Reports from officers.
 - xii. Motions on notice.
 - xiii. Any other business set out in the Summons or which may be added pursuant to Standing Orders.
 - xiv. Any business which in the view of the Mayor and the Chief Executive is urgent and cannot be dealt with by one of the council's committees.
- 2.3. At an extraordinary meeting the order of business shall be as follows:
- i. Appointment of a person to preside if the Mayor and Deputy Mayor are both absent.
 - ii. To receive any declarations of interest.
 - iii. The business specified in the request / direction that the meeting be called.
- 2.4. Unless subject to a statutory requirement, the order of consideration of business at any meeting may be changed by the Mayor or by the will of the meeting following a motion to that effect, which shall be moved, seconded and put to the vote without debate. The mover of the motion shall be entitled to make a short statement (maximum 2 minutes) to explain why they believe the order of business should be changed.
- 2.5. Business which the Full Council decides should be exempt (not open to public observation) will be dealt with after the press and public have been excluded, and shall normally be considered after all other business has been concluded.
- 2.6. On consideration of the minutes of a previous meeting, there shall be no discussion except in relation to their accuracy. Any question as to the accuracy of the minutes shall be raised by way of a formal motion seeking to alter the minutes. Following approval of the minutes, they shall be signed by the Mayor.
- 3. FCR 3 - Quorum**
- 3.1. No business may be transacted at a meeting of Full Council unless at least one quarter (rounded up) of the members of the Full Council are present.
- 3.2. If at the time a meeting is scheduled to start, or at any time during a

meeting, the Mayor declares that a quorum is not present, the Mayor may call for an adjournment of 15 minutes for quorum to be reached. If a quorum is still not achieved following this, the meeting shall be adjourned to a date and time fixed by the Mayor at the time the meeting is adjourned, or to the date of the next ordinary meeting of the full Council.

4. FCR 4 - Voting

- 4.1. Subject to the provisions of any enactments, all motions coming or arising before the council shall be decided by a majority of the members of the council present and voting thereon at a meeting of Full Council.
- 4.2. A question may be decided by “unanimous consent” where the Mayor asks if a matter is agreed and no member objects. In the event of any councillor objecting, a formal vote shall be taken.
- 4.3. Except as otherwise provided, voting shall be on a show of hands of those present.
- 4.4. In the case of an equality of votes, the Mayor shall have a second or casting vote.
- 4.5. The number of councillors voting for, against or abstaining on a Motion, shall be recorded in the minutes.

4.6. Request for a Recorded Vote on an agenda item

- 4.6.1. If a councillor present at the meeting requests a recorded vote on a matter, such councillor will require seven additional members present (8 in total) to support such a request and such request must be made before voting commences. In the event a recorded vote is agreed, the names for and against the motion or amendment or abstaining from voting, will be taken down in writing and entered into the minutes.
- 4.6.2. Unless a recorded vote has been taken, immediately after any vote has been taken, following a request to that effect from any councillor, their vote for or against the motion, or their abstention, shall be recorded in the minutes.

4.7. Voting on appointments to Outside Bodies

- 4.7.1. Where there are any appointments to be made to outside bodies by the council and the number of persons nominated exceeds the number of vacancies, a secret ballot shall be held. Each councillor shall be entitled to vote for as many individuals as there are vacancies. The nominee(s) with the most votes shall be taken to be appointed. The Chief Executive shall announce the voting figures and shall identify the successful candidates to the meeting, which shall be asked to give its consent to the appointments.

5. FCR 5 - Appointment of Committees and Chair

- 5.1. The Full Council shall at the Annual Meeting appoint such committees, sub-

committees, advisory panels and other bodies as are deemed necessary to carry out the work of the council.

- 5.2. The Full Council may at any time appoint such other committees or bodies as are necessary to carry out the work of the council, whether on an ongoing or time-limited project specific basis.
- 5.3. Subject to any statutory provision, Full Council:
 - i. Shall not appoint any member of a committee to hold office later than the next Annual Meeting of the Full Council unless such appointment is for a fixed term basis.
 - ii. May at any time dissolve a committee, sub-committee, advisory panel or other body, or alter its membership.
- 5.4. The Full Council may, at any meeting, including the Annual Meeting appoint a Chair and Vice-Chair of committees, sub-committees, advisory panels and other bodies. It may also appoint members of committees, sub-committees, advisory panels and other bodies, and nominate to outside bodies. In the event of any vacancy arising during the course of the municipal year, the relevant committee, sub-committee and advisory panels are able to make such appointments as necessary until the next meeting of Full Council. Appointments to vacancies on joint committees or nominations to outside bodies shall be made by Full Council at the next ordinary or extraordinary meeting of Full Council.
- 5.5. At any one time a councillor may hold the office of Chair of only one of any of the following committees:
 - i. Any of the five policy committees.
 - ii. Audit and Scrutiny Committee

6. FCR 6 - Speeches and Recorded Vote for Budget Decisions

- 6.1. The Chair of Strategy and Resources Committee will present the council's budget at the Budget Meeting. The presentation will not be subject to any time limit. A representative of each Group shall present their response to the budget, and they shall have 10 minutes to do so. The matter will then be opened to debate in accordance with Standing Orders. Any councillor wishing to speak on the budget will have 3 minutes to do so, and any amendment will be considered in accordance with Standing Orders. The Chair of Strategy and Resources Committee will conclude the debate on the budget with a reply lasting no longer than 10 minutes.
- 6.2. In any event, at any meeting of the Full Council at which a Budget Decision is made, there shall be a recorded vote on any decision relating to the budget or council tax. The names for and against any motion or amendment or abstaining from voting, will be taken down in writing and entered into the minutes.

7. FCR 7 - Role of the Mayor

- 7.1. The Mayor, if present, shall preside at meetings of the Full Council. If the Mayor is absent, the Deputy Mayor shall preside at a meeting.
- 7.2. If both the Mayor and Deputy Mayor are absent, the first business of the meeting shall be to elect a member to take the chair and preside over the meeting.
- 7.3. Should the Mayor wish, in exceptional circumstances, to take part in debate on an issue before the Full Council, they should vacate the Chair for the whole of that item in favour of the Deputy Mayor.
- 7.4. All powers or duties of the Mayor at a meeting may be exercised by whoever is appointed to preside over the meeting.
- 7.5. The ruling of the Mayor as to the meaning or application of these rules of procedure or as to any proceedings of the full Council shall be final and shall not be challenged at any meeting of the full Council.
- 7.6. The Mayor shall decide whether any question or motion submitted by a councillor is in order and should be included in the agenda. If any question or motion is ruled out of order, the councillor who gave it shall be informed of the reason for such ruling.
- 7.7. The Mayor, following consultation with the Chief Executive, shall decide whether an item of business not set out in the summons shall be considered at a meeting as a matter of urgency by reason of special circumstances, which shall be announced and specified in the minutes of the meeting.
- 7.8. The Mayor shall rule on any point of order which arises during a meeting, and shall first be entitled to seek such advice as they think necessary.
- 7.9. The Mayor shall control the debate on any matter to avoid excessive repetition and confine debate within the scope of the meeting and reasonable limits of time. In so doing, the Mayor shall remain impartial and ensure that different viewpoints are heard.
- 7.10. Whenever the Mayor stands up during a debate any member then standing shall resume their seat and the councillors shall be silent. The Mayor may interrupt the debate to restore order by using the command “order”, or by striking the gavel. The councillors must then be silent until the Mayor calls on a councillor to speak.

8. FCR 8 - Good Order at Meetings

Disturbance by the public

- 8.1. If a member of the public interrupts the proceedings at any meeting the Mayor shall issue them a warning. If they continue the interruption the Mayor shall order their removal from the Meeting. In case of general disturbance in any area open to the public, the Mayor shall order that area to be cleared.
- 8.2. In the event of a public disturbance, the Mayor may without question adjourn the meeting for such period as s/he considers expedient.

Disorderly conduct by Members

8.3. If any councillor:

- (a) persistently disregards the ruling of the Mayor; or
- (b) behaves irregularly, improperly or offensively; or
- (c) deliberately disregards procedure; or
- (d) deliberately obstructs the business of the meeting; or
- (e) imputes improper motives, or uses any offensive expression, to any other councillor.

Then the Mayor will name the councillor and require such councillor to apologise and / or refrain from such behaviour immediately.

8.4. If a councillor, despite a Mayoral warning under Standing Orders, continues with their behaviour, the Mayor may take such action as is needed to prevent such behaviour impacting the conduct of the meeting. Such action may include:

- (a) forbid the councillor from speaking for some or all of the rest of the meeting;
- (b) order the councillor to leave the meeting for all or part of the remaining business.
- (c) order the councillor to be removed from the meeting.
- (d) adjourn the meeting for such period as they think fit

8.5. The decision of the Mayor as to acceptable conduct whether by councillors or the public shall be final.

9. FCR 9 - Guillotine

9.1. If all business has not been dealt with by 22.00 hours, the Mayor shall review the order of the remaining items on the agenda. Any items still outstanding shall be dealt with in the order announced by the Mayor with those items requiring a decision to be completed by 22.30 hours. The Mayor may, in order to deal with matters, which remain outstanding, adjourn the meeting to a day and time to be appointed by the Mayor.

9.2. A meeting must not sit later than 23.00 hours in any event and the operation of this Standing Order cannot be suspended.

10. FCR 10 - Adjournment of meetings

10.1. The Full Council may adjourn any meeting to a later hour on the same day, or to any other day and hour so long as it is within 10 working days of the original meeting.

10.2. If no date is set by Full Council for a reconvened meeting, the date shall be determined by the Mayor in consultation with the Chief Executive.

- 10.3. An adjourned meeting shall be deemed a continuation of the original meeting.
- 10.4. No business shall be transacted at any adjourned meeting which was not included in the notice convening the meeting of which it is an adjournment, subject to any agreed urgent item which may have been included by the original meeting.
- 10.5. Written notice of the adjourned meeting shall be sent by any statutory officer to each councillor specifying the business to be transacted.

11. FCR 11 – Leader and Chairs’ statements to Full Council

- 11.1. The Leader and Chair of each of the policy committees is able to submit a Leader’s or Chairs’ statement to be included as a standard item on the agenda for each Full Council meeting (excluding the Annual Meeting and Budget Meeting). This will be a short statement briefing councillors on the current events and issues, and where it is a Chair’s statement, relating to the relevant committee’s area of work.
- 11.2. At the conclusion of all statements, 30 minutes will be set aside for councillors to ask questions on the statement of the Leader and any Chair in accordance with the following:
 - 11.2.1. The Mayor is to manage questions, taking them in the order councillors indicated their wish to ask by raising their hands.
 - 11.2.2. Questions must relate to the content of the statement only.
 - 11.2.3. Each councillor is limited to a maximum of two questions in respect of each statement. Any second question may only be asked once all other councillors with a first question have already asked theirs.
 - 11.2.4. There is no requirement for prior notice to be given to the Leader or Chair before asking a question.

12. FCR 12 - Questions from members of the council

- 12.1. Ordinary meetings, except the Annual Meeting and Budget Meeting, will have 30 minutes for councillors to ask questions if the requirements of this Standing Order are satisfied. If a question is being asked or answered at the time limit, the answer must be completed within 5 minutes.
- 12.2. Notice of the question must be given in writing to the Democratic Services Manager no later than noon on the tenth clear working day before the day of the meeting.
- 12.3. The question must be addressed to the Mayor or the Chair of any committee, sub-committee or advisory panel.
- 12.4. The question must relate to a matter on which the council has statutory powers or duties or which affects the Borough or its inhabitants.
- 12.5. The Mayor, following consultation with the Head of Legal Services will reject a question, if it:

- i. Is not about a matter falling within this Standing Order.
 - ii. Concerns a matter which could be raised as casework or through the council's complaint's procedure or is specific to a particular individual or their property.
 - iii. Is defamatory, frivolous or offensive.
 - iv. Criticises or purports to criticise an employee / officer's competence and / or conduct and the employee / officer is identified by name, title or in any other way.
 - v. Is substantially the same as a question which has been put at a meeting of the Full Council in the past six months.
 - vi. Requires the disclosure of confidential or exempt information.
- 12.6. Questions shall be called by the Mayor in the order in which notice of the question was received, except that if a councillor gives notice of more than one question, their second or subsequent question(s) shall appear after all of the first questions submitted by other councillors, and so on.
- 12.7. Where practicable, a written answer to each question shall be circulated to all councillors no later than one working day before the meeting. Any oral answer may be committed to writing, and if so, will be published within four working days after the meeting.
- 12.8. A written answer must be provided within four working days to any questions not called within the 30 minute period and in respect of which no written answer has already been circulated to members.

Response to Questions

- 12.9. Every question shall be put and answered without debate or comment from any other councillor. If no written answer has been circulated to councillors in advance, an explanation shall be provided as to why it has not been practicable to provide a written answer.
- 12.10. Where a question has been answered, the questioner may ask one supplementary question, which must arise from the reply provided.

Councillor asking question absent from meeting

- 12.11. If a councillor asking a question (the questioner), knows they will be absent from the Full Council meeting, they may notify the Mayor of which other councillor will ask the question on their behalf. Such nominated councillors shall have the same rights as the questioner. If the councillor is absent and no substitute has been appointed, the Mayor shall first ask whether any other councillor from within the same Group as the questioner wishes to take the opportunity to ask a supplementary question. If the councillor concerned is not in a Group, or no member of the Group wishes to ask a supplementary question, then any other councillors may indicate to the Mayor their wish to ask a supplementary question, and the Mayor shall call on the first to do so, to ask their question.

Urgent Questions

12.12. With the consent of the Mayor, following consultation with the person to whom the question is addressed, a question may be asked of which the notice required by Standing Orders has not been given where:

- i. the question relates to an urgent matter or on an issue of relevance or importance that has come to light after notice which could have been given under Standing Orders.

In this case, notice shall be given, as soon as is practicable, and no later than noon on the day of the meeting. The time for questions from councillors will be extended to allow the asking of and reply to such a question at the meeting.

13. FCR 13 – petitions

13.1. All petitions received shall be dealt with in accordance with the council's Petition Scheme, which is set out at Annex 6.1 of the [Operating Framework](#).

14. FCR 14 - Motions

Duration of debate

14.1. Council meetings will have 90 minutes set aside to deal with all motions (including amendments) which have been brought.

Motions challenging previous decisions

14.2. Until at least two further ordinary meetings of Full Council have been held (being a period of no less than 6 months), no motion may be moved to rescind or alter any decision of the Full Council or a decision of a committee on a matter within its terms of reference, and no motion or amendment to the same effect as one which has been rejected by Full Council or a committee shall be moved unless, in either case:

- ii. It is recommended by a committee,
- iii. Notice of the motion has been given by at least seven councillors of the Council acting together.

Notice of motion and withdrawal of motion

14.3. Subject to Standing Orders on motions, where notice must be given in writing and those which may be moved without notice, any councillor may propose a motion at any meeting of the Full Council.

14.4. A notice of motion (other than a recommendation from a committee) must be delivered to the Democratic Services Manager by no later than noon on the tenth clear working day before the date of the meeting at which it is intended to be considered. A record will be kept of all motions received and these will be dated and numbered in the order in which they were received.

14.5. All motions of which notice has been duly given shall be set out in a report to the meeting in order of receipt.

14.6. If a councillor wishes to withdraw a motion before it appears in the agenda or before the start of a meeting, they must confirm such withdrawal to the Democratic Services Manager in writing.

Motion set out in agenda

- 14.7. Motions for which notice has been given will be listed on the agenda in the order in which the notice was received, unless the councillor giving the notice wishes to withdraw or proposes the motion for a later meeting. Motions shall be formerly moved by the councillor who gave notice, or on the written request of this councillor, by another councillor on their behalf.

Urgent Motions

14.8. The period of notice referred to in 14.4 above is not required in respect of Urgent Motions, provided at least one fifth of councillors have given written notice of the Motion to the Democratic Services Manager by noon of the day of the meeting of the Council. An Urgent Motion may only be considered at the meeting if the Mayor agrees that, due to special circumstances (which must be specified in the Minutes); the subject of the Motion should be considered at the meeting as a matter of urgency.

Scope and wording of Motions

- 14.9. All motions, including urgent motions, must be relevant to some matter on which:
- i. The council has powers or duties.
 - ii. Affects the Borough.
 - iii. Is something of national significance where there is a wish to acknowledge or celebrate.
- 14.10. Motions that relate to the functions of a policy committee, once determined by the Full Council, shall be referred to the relevant policy committee for action if action is required.
- 14.11. If notice is given of any motion, including urgent motions, which in the opinion of the Mayor, following consultation with the Monitoring Officer is out of order it shall not be accepted or placed on the agenda. If a motion is not accepted the councillor who gave the notice will be informed in writing. A motion can be ruled out of order if:
- i. It is not about a matter for which the council has responsibility or which affects the Borough;
 - ii. Is defamatory, frivolous, or offensive.
 - iii. Is in breach of Standing Orders on motions challenging previous decisions.
 - iv. Requires disclosure of confidential or exempt information.

Motion not moved at meeting

- 14.12. If at the meeting, a motion is not moved either by the councillor who gave the notice or some other councillor it shall be treated as withdrawn and shall not be moved without fresh notice being given.

Withdrawal of a Motion

14.13. A motion which has been moved and seconded may only be withdrawn with the consent of the meeting.

Motions without notice

14.14. The following motions may be moved without notice:

- i. To appoint a person to preside at a meeting
- ii. To correct the minutes.
- iii. To change the order of business.
- iv. To remit a matter to a committee.
- v. To appoint a committee arising from an item mentioned in the summons.
- vi. To adopt recommendations of committees or officers and to take action resulting from such adoption.
- vii. That leave be given to withdraw a motion.
- viii. To suspend rules of procedure.
- ix. To amend a motion.
- x. To defer consideration of a matter to a later date.
- xi. To adjourn the meeting.
- xii. To proceed to next business.
- xiii. That the question be now put.
- xiv. That a member be not further heard.
- xv. To exclude the public.
- xvi. To give the consent of the Full Council, where consent is required by these standing orders.

15. FCR 15 – Consideration of committee recommendations

- 15.1. A recommendation from any committee shall constitute a motion to be proposed by the Chair and shall not require to be seconded. If the Chair is not present, the Vice Chair or another member of the committee shall propose the recommendation.
- 15.2. A recommendation is open to debate in accordance with the Standing Orders on rules of debate.
- 15.3. A recommendation cannot be amended if to do so would contravene the requirement of the law or of the process for such decision-making.

16. FCR 16 – Rules of debate on Motions

Addressing the Mayor

- 16.1. After being called by the Mayor, a councillor shall stand when speaking, and address the Mayor. Only one councillor shall speak at any one time, and all

other councillors shall remain seated, unless rising to make a point of order / Personal Explanation. If more than one councillor stands the Mayor shall indicate the order of speakers. Subject to Standing Orders on points of order and Personal Explanation, all other councillors shall remain seated whilst a councillor is speaking.

- 16.2. If a councillor stands to raise a Point of Order or point of Personal Explanation, the councillor shall be heard immediately, and any councillor then speaking shall give way.

Points of Order

- 16.3. A councillor may raise a Point of Order at any time. The Mayor will hear them immediately. A Point of Order may only relate to an alleged breach of these Standing Orders or the law. The councillor must identify the Standing Order or rule of law being breached before the councillor sets out their reasoning in which they consider has been broken. The ruling of the Mayor on a Point of Order will be final.

Personal Explanation

- 16.4. A councillor may make a Personal Explanation at any time. A Personal Explanation may only relate to some material part of the earlier speech by the councillor (made at the meeting), which may appear to have been misunderstood in the present debate. The councillor raising the point shall specify what they said earlier and how they feel this has been misunderstood. The ruling of the Mayor on the admissibility of a Personal Explanation will be final.

Vote on whether Motion is to be referred to committee for consideration

- 16.5. Once a motion as been put, the Mayor will invite councillors to decide how the motion on notice should be dealt with. The Mayor will ask for a vote without debate on whether the motion should be referred to an appropriate committee for consideration. The decision to refer to an appropriate committee will be on the basis of a simple majority. If the motion is referred to a committee, the committee in question must consider the motion.

Process for Motions to be debated by Council

- 16.6. The order of speeches is set out in Standing Order 16.9 below. The motion shall be opened for debate with the Mayor requesting those wishing to speak to indicate their wish to do so by raising their hand.
- 16.7. Councillors shall generally be called to speak in the order in which the Mayor notes their wish to speak, except that the Mayor may alternately invite speakers from opposing sides of the debate, to seek to maintain a balanced debate.

Process of debate and length of speeches

- 16.8. Speeches must be directed to the motion / amendment under discussion or to a Personal Explanation or Point of Order.
- 16.9. Councillors and officers at a meeting shall be addressed or referred to by their respective titles.

16.10. The order and times for speeches on motions will be as follows. A flow chart of the process is provided at Standing Order 17.12.

- i. Once the motion has been proposed and seconded, the proposer of the motion may speak to their motion and the seconder may speak or reserve their right to speak (the seconder must exercise that right before the reply of the Chair of the relevant committee).
 - The proposer of the motion will have 7 minutes to set out their motion.
 - The seconder shall have 5 minutes to second the motion.
- ii. In the event that an amendment is proposed, the motion must first be moved and seconded, only then can the proposer of an amendment put forward their amendment. The procedure for amendments to motions is set out in Standing Order 17.12 below.
- iii. All other councillors wishing to speak on the motion will have 3 minutes.
- iv. The relevant committee Chair has a right to reply to the motion and shall have 5 minutes to respond.
- v. The proposer shall have the right to respond and sum up and will have 5 minutes to do so.
- vi. Neither the Chair of the relevant committee nor the proposer of the original motion shall otherwise speak on the motion or an amendment to such, unless in accordance with Standing Orders. If they do so, they forfeit their right to reply to the debate on that motion or amendment.

16.11. When there is no-one else wishing to speak, or the Mayor determines that there has been sufficient discussion, or following agreement of a “closure motion”, the Mayor shall call on the Chair of the relevant committee followed by the proposer of the motion (if it is not a recommendation from a committee) to speak before the motion is put to the vote.

17. FCR 17 – Amendments to Motions

17.1. Amendments to a motion must comply with the requirements of Standing Orders. They must either be submitted in writing in advance of the meeting or at the meeting. Amendments which have been submitted in advance will be called by the Mayor in such order as shall best facilitate their consideration, immediately following the speech of the proposer, but shall be moved and seconded before being debated.

17.2. An amendment to a motion may be moved and seconded during the debate but shall be provided in writing to the Mayor before being debated.

17.3. Only one amendment shall be debated at a time.

17.4. An amendment must be relevant to the motion. It must take the form of a proposal:

- i. To refer the matter back to committee.

- ii. To leave out words.
- iii. To leave out words and insert or add others.
- iv. To insert or add words.

17.5. The Mayor shall not accept an amendment(s) if:

- i. It is outside the scope of the original motion.
- ii. It is outside scope the meeting.
- iii. It is outside the council's powers.
- iv. It would contravene Standing Orders on challenging a previous decision.
- v. Has the same effect as voting against the motion.
- vi. Appears to be frivolous, vexatious, defamatory, or offensive.
- vii. Where an amendment has already been considered or is of a similar nature to one which has already been considered.
- viii. Where several amendments having already been considered, it is considered further amendments would have the effect of unreasonably prolonging debate on a matter.

Mayor to rule whether amendments are in order

17.6. The proposer of the amendment shall propose the amendment and call for a seconder. Once the seconder has seconded the request for an amendment, the Mayor will then rule whether such proposed amendment is in order.

Mover of original motion to be asked if they accept the amendment

17.7. If the proposed amendment is ruled in order, the mover of the original motion will be asked if they wish to accept the amendment. If the proposed amendment is ruled out of order, it will fall and the original or motion will be allowed to proceed to debate.

17.8. If the proposed amendment is accepted in full or in part by the mover of the original motion, there shall be no debate on the proposed amendment and the original motion shall be amended accordingly incorporating the accepted amendment(s).

17.9. In the event the mover of the original motion does not accept the proposed amendment, the amendment will be debated in accordance with Standing Orders.

Order and times of speeches on amendments

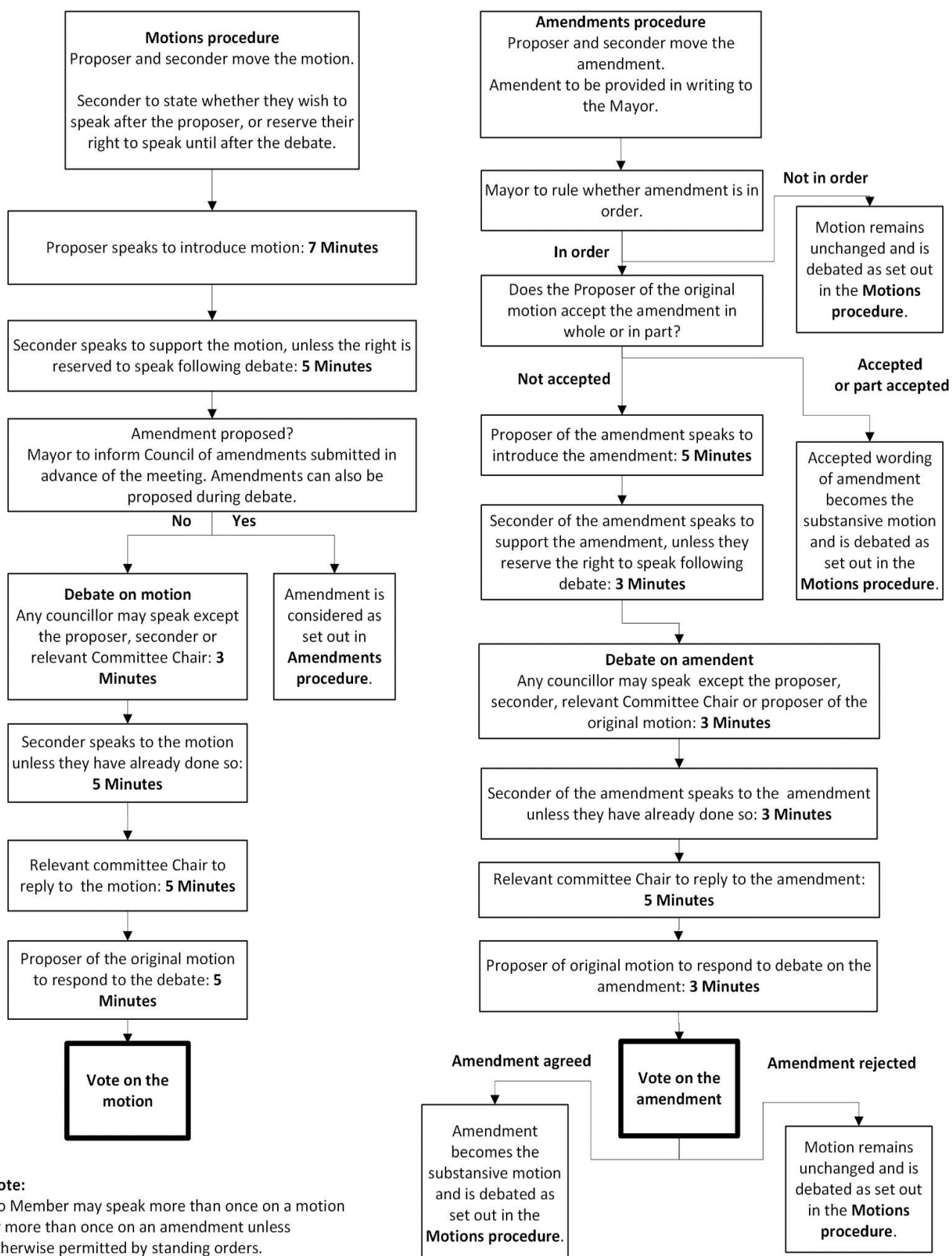
17.10. The order and times for speeches on amendments ruled in order, and not agreed by the original motion proposer will be as follows. A flow chart of the process is provided at Standing Order 17.12.

- i. The proposer of the original motion, will have 7 minutes to set out their motion (if they have not already done so), and the seconder has either spoken or reserved their right.

- ii. The proposer of the amendment may speak to their amendment and the seconder of the amendment may speak or reserve their right to speak (the seconder of the amendment must exercise that right before the reply of the Chair of the relevant committee).
 - The proposer of the amendment will have 5 minutes to set out their amendment to the motion.
 - The seconder of the amendment shall have 3 minutes to speak to the amendment.
- iii. All other councillors wishing to speak on the amendment will have 3 minutes. The mover of the amendment has no right of reply to the debate on their proposed amendment.
- iv. The relevant committee Chair has a right to reply to the amendment and shall have 5 minutes to respond.
- v. The proposer of the original motion shall have the right to respond to the amendment and will have 3 minutes to do so.
- vi. The amendment shall then be put to the vote.

17.11. If an amendment is carried (agreed), the motion as amended takes the place of the original motion and becomes the substantive motion to which any further amendments may be moved. The proposer of the original motion now becomes the proposer of the amended motion.

17.12. Motions Flowchart



Note:
No Member may speak more than once on a motion or more than once on an amendment unless otherwise permitted by standing orders.

18. FCR18 - General matters on a motion or amendment

- 18.1. No councillor may speak more than once on a motion or on an amendment unless the operation of Standing Orders permit otherwise, namely:
- i. To speak once on any new amendments.
 - ii. To move a further amendment if a previous amendment is not carried or the motion has been amended since they last spoke.
 - iii. If their 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).
 - iv. In exercise of a right to reply as a Chair, or as the proposer.
 - v. On a Point of Order.
 - vi. By way of Personal Explanation.
- 18.2. Whilst a motion or amendment is under debate no other motion shall be moved except any one of the following:
- i. To remit a matter to committee for consideration / reconsideration.
 - ii. To defer consideration of a matter to a later date.
 - iii. To adjourn the meeting.
 - iv. To proceed to next business.
 - v. That the matter be now put.
 - vi. That a councillor be not further heard.
 - vii. To exclude the public.
 - viii. to give the consent of the Council, where consent is required by these standing orders.
- 18.3. The maximum time for any speech shall not be exceeded except with the consent of the Mayor.
- 18.4. Councillors must not speak about anything except the subject under discussion, or to raise a Point of Order, point of Personal Explanation or to raise a motion or amendment in accordance with Standing Orders.

19. FCR 19 - Closure motions

- 19.1. At the conclusion of the speech of another councillor any councillor (except the proposer or seconder of the motion and, as the case may be, the amendment under debate), including the Mayor, may move one of the motions listed in Standing Orders 18.2 (i) to (v) above (a “closure motion”). When moving a closure motion the councillor must refer to these rules of procedure and state which motion they are moving and, once the Mayor has ruled that the motion is in order, will be given the opportunity to explain why it is being moved (max. 5 minutes).

- 19.2. On a motion to remit a matter to a committee, the Mayor shall give the Chair of the committee the right to reply to the motion (max. 5 minutes), after which the motion shall be put to the vote without debate or comment.
- 19.3. On a motion to defer consideration of a matter to a later date or to adjourn the meeting, if the Mayor considers that the matter requires further discussion but it cannot reasonably be discussed at the meeting in question, the motion to defer shall be put to the vote without debate.
- 19.4. On a motion to proceed to next business, unless the Mayor thinks that the council needs to reach a decision at that meeting on the matter then under consideration, the motion to proceed to next business shall be put to the vote, without comment or debate.
- 19.5. On a motion that the question be now put, unless the Mayor thinks that there has been insufficient debate of the matter, the Mayor shall first put to the vote the motion that the question be now put and, if it is passed, shall give the mover of the motion under consideration a right of reply (max. 3 minutes) before putting that motion to the vote.

20. General

- 20.1. Unless otherwise stated in these rules of procedure or statute, where anything in these rules of procedure is required to be done in writing, this will include by email.
- 20.2. A rule, or part of a rule, may not be suspended or revoked if it is a statutory requirement or the operation of Standing Orders does not permit a suspension. It is not necessary for the exact words of the statute to be repeated in a rule. Any of the other rules may be suspended by the council by agreeing a motion to that effect provided that either:
 - i. A notice of motion has been given under Standing Orders including an intention to suspend the Council's rules of procedure.
 - ii. A motion has been moved under Standing Orders which can be moved without notice and at least two thirds of the whole number of councillors are present.
- 20.3. For the avoidance of doubt, if there is any conflict in the operation or application of Standing Orders, the matter will be determined by the Mayor whose decision on the matter will be final.
- 20.4. All references to the Mayor will include the Deputy Mayor as the context so requires or is deemed necessary, where such sits in the absence of the Mayor.

21. FCR 21 – Role of the Leader

- 21.1. A protocol on the role of the Leader is available in the Framework (Annex 4-10).

22. *Disciplinary Action Against Head of Paid Service, Monitoring Officer or Chief Finance Officer*

This is to be applied in conjunction with the Council’s Disciplinary Procedure

1. In the following paragraphs:

- (a) ‘the 2011 Act’ means the Localism Act 2011;
- (b) ‘chief finance officer’, ‘disciplinary action’, ‘head of the authority’s paid service’ and ‘monitoring officer’ have the same meaning as in regulation 2 of the Local Authorities (Standing Orders) (England) Regulations 2001;
- (c) ‘independent person’ means a person appointed under section 28(7) of the 2011 Act;
- (d) ‘local government elector’ means a person registered as a local government elector in the register of electors in the authority’s area in accordance with the Representation of the People Acts;
- (e) ‘the Panel’ means a committee appointed by the authority under section 102(4) of the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of relevant officers of the authority;
- (f) ‘relevant meeting’ means a meeting of the authority to consider whether or not to approve a proposal to dismiss a relevant officer; and
- (g) ‘relevant officer’ means the chief finance officer, head of the authority’s paid service or monitoring officer, as the case may be.

2. A relevant officer may not be dismissed by an authority unless the procedure set out in the following paragraphs is complied with.

3. The authority must invite relevant independent persons to be considered for appointment to the Panel, with a view to appointing at least two such persons to the Panel.

4. In paragraph 3, ‘relevant independent person’ means any independent person who has been appointed by the authority or, where there are fewer than two such persons, such independent persons as have been appointed by another authority or authorities as the authority considers appropriate.

5. Subject to paragraph 6, the authority must appoint to the Panel such relevant independent persons who have accepted an invitation issued in accordance with paragraph 3 in accordance with the following priority order:

- (a) a relevant independent person who has been appointed by the authority and who is a local government elector;
- (b) any other relevant independent person who has been appointed by the authority;
- (c) a relevant independent person who has been appointed by another authority or authorities.

6. An authority is not required to appoint more than two relevant independent person in accordance with paragraph 5, but may do so.

7. The authority must appoint any Panel at least 20 working days before the relevant meeting.

8. Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the authority must take into account, in particular:

- (a) any advice, views or recommendations of the Panel;
- (b) the conclusion of any investigation into the proposed dismissal; and
- (c) any representations from the relevant officer.

9. Any remuneration, allowances or fees paid by the authority to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person's role as independent person under the 2011 Act.

10. Disciplinary Action:

(a) Suspension. The Head of Paid Service, Monitoring Officer, Chief Finance Officer and other Chief Officer(s) may be suspended while an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two/three months.

(b) Councillors will not be involved in the disciplinary action against any officer other than a Statutory Officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, although the Council's disciplinary, capability and related procedures, as adopted from time to time, may allow a right of appeal to members in respect of disciplinary action resulting in dismissal only.

(c) Deputy Statutory Officers will be subject to the same disciplinary procedures as apply to other members of staff.