

SECTION 4

4. Full Council

4.1 **Introduction**

The Full Council is a formal meeting of all Councillors. The Full Council is required by law to take certain important decisions including setting the Council's Budget and council tax and approving a number of key plans and strategies, which together form the Policy Framework (listed below). It is responsible for all of the functions not the responsibility of the Cabinet. It will carry out some functions itself, but others will be delegated to Committees, individual Cabinet Members or named Officers.

4.2 **The Policy Framework**

The Policy Framework means the following plans and strategies:

- Single Integrated Plan
- Corporate Plan
- Improvement Plan
- Local Development Plan
- Welsh Language Scheme
- Strategic Equalities Plan
- Changes to the Constitution or political structures
- Pay and Reward Policy
- Three year Licensing policy
- Revenue and Capital Budget
- Economic Development Strategy
- Social Services Population Needs Assessment
- Director of Social Services Annual Report

4.3 **The Single Integrated Plan**

This replaces four of the existing plans and strategies which formed part of the Policy Framework, namely the Community Strategy, the Children and Young People's Plan, the Health, Social Care and Wellbeing Strategy and the Community Safety Partnership Plan.

4.4 **The Budget**

The Budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the council tax base, setting the council tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits. The Full Council will decide the Council's overall revenue budget and overall capital budget and any changes to these. (See Section 16 for how the Council can change the Policy Framework or Budget referred to it for approval by the Cabinet.)

4.5 **Housing Land Transfer**

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Welsh Ministers for approval of a programme of disposal of land used for residential purposes where approval is required under section 32 or 43 of the Housing Act 1985.

4.6 **Functions of the Full Council**

Only the Full Council will exercise the following functions:

- 4.6.1 adopting and changing the Constitution;
- 4.6.2 approving or adopting the Single Integrated Plan, Policy Framework, the Budget and any application to the Welsh Ministers in respect of any Housing Land Transfer;
- 4.6.3 subject to the urgency procedure contained in the Access to Information Procedure Rules in Section 15 of this Constitution, making decisions about any matter in the discharge of an Executive Function which is covered by the Policy Framework or the Budget where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to or not wholly in accordance with the Budget;
- 4.6.4 appointing and removing the Leader;
- 4.6.5 agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them (in accordance with the Local Government and Housing Act 1989) unless the appointments have been delegated by the Council;
- 4.6.6 performing the corporate joint committee functions set out in Section 11 of this Constitution, including the making of a corporate joint committee application and the giving of consent to corporate joint committee regulations being made;
- 4.6.7 changing the name of the area or conferring the title of freedom of the City;
- 4.6.8 making the appointment of the Head of Paid Service, the Chief Executive and Strategic Directors and confirming the appointments of other Chief Officers;
- 4.6.9 making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal bills;
- 4.6.10 all Local Choice Functions set out in Section 14 of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet;
- 4.6.11 all matters which by law must be reserved to the Council. For example, appointing the Chair of the Democratic Services Committee, approving the appointment or dismissal of the Head of the Paid Service, determining the level and any change in the level of remuneration to be paid to a Chief Officer and approving the pay policy statement;
- 4.6.12 appointing representatives to outside bodies unless the appointment has been delegated by the Council;
- 4.6.13 consulting local people, other persons carrying on a business in the Council's area, the officers of the Council and every trade union which is

recognised by the Council about the extent to which the Council is meeting its performance requirements;

- 4.6.14 approving and adopting an annual report on the extent to which the Council has met its performance requirements;
- 4.6.15 reviewing, approving and amending the Council's wellbeing objectives in accordance with section 9 of the Well-being of Future Generations (Wales) Act 2015 and the accompanying statutory guidance issued by the Welsh Government; and
- 4.6.16 keeping under review the extent to which the Council:
 - 4.6.16.1 is exercising its functions effectively;
 - 4.6.16.2 is using its resources economically, efficiently and effectively; and
 - 4.6.16.3 has governance arrangements that are effective for securing the matters set out in (a) and (b) above.

4.7 Membership

- 4.7.16 All Members of the Council shall be Members of the Full Council.
- 4.7.17 No Member may substitute their attendance at a meeting of the Full Council for that of another person.
- 4.7.18 Chairing the Council
 - 1.7.3.1 The Councillor elected annually by the Council as its chair will be called the "Presiding Member" and the Councillor elected as his or her deputy will be called the "Deputy Presiding Member".
 - 1.7.3.2 The Presiding Member shall cease to be the Presiding Member if he or she resigns, is dismissed by a vote of Full Council, ceases to be a Member of the Council, or is unable to act as a Member of the Council. He or she will continue to act as Presiding Member after an election until his or her successor has been appointed. This provision applies equally to the Deputy Presiding Member.

4.7.19 Role and Function of the Presiding Member

- 1.7.4.1 The Presiding Member shall have the following responsibilities and functions, which shall be discharged by the Deputy Presiding Member in the absence of the Presiding Member:
 - (a) to uphold and promote the purpose of the Constitution and to interpret the Constitution in meetings of the Full Council when necessary;
 - (b) to preside over meetings of the Full Council so that its business can be carried out fairly and efficiently and

with regard to the rights of Councillors and the interests of the community; and

- (c) to ensure that the Full Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not in the Cabinet are able to hold the Cabinet to account;

4.7.4.2 The Presiding Member, whilst chairing meetings, shall adopt a neutral, non-political stance, in order to enable full, proper and effective debate. This provision applies equally to any other Member who chairs a meeting of Full Council.

4.7.4.3 The Presiding Member and Deputy Presiding Member must not be any of the following:

- the Leader of the Council;
- a member of the Cabinet, regardless of whether that Member has a portfolio;
- the Leader of the Opposition; or
- the Leader of any other political group within the Council.

4.7.20 Appointment, Role and Function of the Mayor

4.7.5.1 The Mayor of the City shall be a Member of the Council.

4.7.5.2 The office of Mayor shall be conferred each year at the Annual Meeting upon the most senior Member of the Council. For the purposes of this Rule 4.7.20, seniority means the Member with the longest period of service as a Member of this Council who has not previously held the office of Mayor.

4.7.5.3 The service referred to in 4.7.5.2 above need not be continuous.

4.7.5.4 Where a Member who is eligible to be appointed as the Mayor in accordance with Rule 4.7.5.2 declines to accept the appointment or defers the appointment in accordance with Rule 4.7.5.5 below, the appointment shall instead be conferred on the next most senior member.

4.7.5.5 A member who is eligible to be appointed as the Mayor pursuant to Rule 4.7.5.2 may elect to defer the appointment to the Annual Meeting following the one at which he or she is entitled to be appointed, provided that written notice of such intention is given to the Head of Paid Service prior to that Member being sworn in as the Mayor.

4.7.5.6 Where a Member has deferred his or her appointment in accordance with Rule 4.7.5.5 above, no further deferral shall be allowed without a resolution of Full Council. Absent such resolution, that Member shall be disregarded in any subsequent determination of seniority.

4.7.5.7 The Deputy Mayor shall be a Member of the Council appointed by the Mayor elect prior to his or her swearing in.

4.7.5.2 The Councillor elected annually by the Council as its Mayor shall have the following roles and functions, which may be discharged by the Deputy Mayor in circumstances where the Mayor is unavailable:-

4.7.5.2 *Ceremonial Role*

The Mayor:

- (a). is the civic leader of the Council;
- (b). promotes the interests and reputation of the Council and the City of Newport as a whole and acts as an ambassador for both; and
- (c). undertakes civic, community and ceremonial activities and fosters community identity and pride.

4.7.5.3 *Responsibilities of the Mayor:*

- (a). to promote public involvement in the Council's activities; and
- (b). to attend such civic and ceremonial functions as the Council and he or she determines appropriate, having regard to the any advice given by the Monitoring Officer and the Head of Paid Service.

4.7.5.4 The Mayor and Deputy Mayor will cease to hold those positions if they resign, are dismissed by a vote of Full Council, cease to be a Member of the Council, or are unable to act as a Member of the Council. They continue to act as Mayor and Deputy Mayor after an election until their successor has been appointed.

4.8 Council Meetings

There are three types of Council meeting:

4.8.16 the Annual Meeting;

4.8.17 ordinary meetings; and

4.8.18 extraordinary meetings.

4.9 Rules of Procedure and Debate

The Council Procedure Rules contained in the sections below will apply to all meetings of the Full Council.

4.10 Council Procedure Rules - Annual Meeting of the Council

4.10.16 Timing and Business

In a year when there is an ordinary election of councillors, the Annual Meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place on a date determined by the Council. The Annual General Meeting will:

- 4.10.16.1 elect a person to preside if the Presiding Member and Deputy Presiding Member of the Council are not present;
- 4.10.16.2 elect the Presiding Member of the Council;
- 4.10.16.3 elect the Deputy Presiding Member of the Council;
- 4.10.16.4 elect the Mayor of the Council;
- 4.10.16.5 elect the Deputy Mayor of the Council;
- 4.10.16.6 approve the minutes of the last meeting;
- 4.10.16.7 receive any announcements from the Presiding Member;
- 4.10.16.8 elect the Leader of the Council.
- 4.10.16.9 Invite the Leader to announce the number of Members to be appointed to the Cabinet and the names of those members;
- 4.10.16.10 appoint the Overview and Scrutiny Committees, a Standards Committee and such other committees and sub-committees as the Council considers appropriate to deal with matters which are neither reserved to the Full Council nor are Executive Functions (as set out in Section 14 of this Constitution);
- 4.10.16.11 determine appointments to outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet;
- 4.10.16.12 approve a programme of ordinary meetings of the Council for the year, or defer such approval to an ordinary meeting of the Full Council at a later date; and
- 4.10.16.13 consider any business set out in the notice convening the meeting.

4.11 Ordinary Meetings

Ordinary meetings of the Council will take place in accordance with a programme decided by the Full Council. The order of business at ordinary meetings will be as follows:

- 4.11.16 elect a person to preside if the Presiding Member and Deputy Presiding Member are not present;
- 4.11.17 approve the minutes of the last meeting;
- 4.11.18 receive any declarations of interest from Members;
- 4.11.19 receive any announcements from the Presiding Member, Leader, Cabinet Members or the Head of Paid Service
- 4.11.20 deal with any business outstanding from the previous meeting;
- 4.11.21 With the agreement of the Presiding Member, receive without discussion any petition submitted by a member of the Council.
- 4.11.22 Receive presentations from and/or ask questions of representatives of other organisations who have been invited to attend the meeting by the Leader, the Presiding Member or the Head of Paid Service;
- 4.11.23 determine any appointments to internal or external bodies, unless the appointments are to executive bodies and are reserved to the Cabinet;
- 4.11.24 consider reports from the Cabinet, committees, officers or any other Council body and determine such action as is to be taken on the basis of those reports;
- 4.11.25 consider motions;
- 4.11.26 deal with questions from Members to the Leader, Cabinet Members and committee chairs in accordance with Rule 4.18; and
- 4.11.27 address any other business set out in the agenda for the meeting.

4.12 Extraordinary Meetings

4.12.16 Calling an Extraordinary Meeting

An extraordinary meeting is a meeting of the Full Council which is not the Annual Meeting or an ordinary meeting. The Head of Paid Service must call an extraordinary meeting of the Full Council if asked to do so by:

- 4.12.16.1 the Monitoring Officer;
- 4.12.16.2 the Council by resolution;
- 4.12.16.3 the Presiding Member, provided that he or she has received a written requisition signed by at least five members of the Council that an extraordinary meeting should take place;
- 4.12.16.4 any five Members of the Council if they have signed a requisition presented to the Presiding Member and the Presiding Member has refused or failed to call a meeting within seven days of the presentation of the requisition.

The person or party calling the meeting shall, in their request to the Head of Paid Service, specify the item/s of business to be discussed at the extraordinary meeting.

4.12.17 Business

The business to be conducted at an extraordinary meeting shall be restricted to the item or items of business contained in the request for the extraordinary meeting and there shall be no consideration of any other business (including minutes of the previous meeting), except that the Presiding Member may at his or her absolute discretion permit other items of business to be conducted if he or she considers it appropriate to secure the efficient discharge of the Council's business.

4.13 Time and Place of Meetings

4.13.1 The time and place of meetings will be determined by the Full Council and published by the Monitoring Officer in the summons for the meeting.

4.13.2 Where the meeting is to be conducted in accordance with the Council's arrangements for multi-location meetings, the summons will also include details of how to access the meeting by remote means.

4.14 Notice of and Summons to Meetings

The Monitoring Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules in Section 15 of this Constitution. At least three clear days before a meeting, the Monitoring Officer will send a summons by e-mail to every Member of the Council. The summons will give the date, time and place of each meeting and details of how the meeting may be accessed by remote means. The summons will also specify the business to be transacted and will be accompanied by such reports as are available.

4.15 Chair of Meeting

The person presiding at the meeting may exercise any power or duty of the Presiding Member. Where these Rules apply to committee and sub-committee meetings, references to the Presiding Member should instead be read as references to the chair of that committee or sub-committee.

4.16 Quorum

The quorum of a meeting will be one quarter of the whole number of Members. During any meeting if the Presiding Member counts the number of Members present (including those members who have joined the meeting remotely) and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Presiding

Member. If the Presiding Member does not fix a date, the remaining business will be considered at the next ordinary meeting.

4.17 Remote Attendance

4.17.16 Members will be regarded as present at a meeting where they attend that meeting by remote means in accordance with the Council's arrangements for multi-location meetings providing that they can speak to, hear and be heard by, other attendees at the meeting.

4.17.17 For the purposes of section 4.17.16, attendance "by remote means" means attendance in a different physical location to that of other participants and participating through an online meeting platform.

4.18 Questions by Members

4.18.1 A Member of the Council may ask questions at meetings of the Full Council of:

- (i). the Leader,
- (ii). a member of the Cabinet, in relation to any matter within the portfolio of that Cabinet Member; or
- (iii). the Chair of a Committee or Sub-Committee, in relation to any matter within the terms of reference of that Committee or Sub-Committee.

4.18.2 Questions must be submitted on notice, as set out below and must:

- (i). be about a matter for which the Council has responsibility or which affects the administrative area of the Council;
- (ii). not be defamatory, frivolous, vexatious, or offensive;
- (iii). not be substantially the same as a question which has already been submitted by another Member for the same meeting;
- (iv). not concern an item of business which is the subject of a report to the same meeting;
- (vi). not, in order to provide a satisfactory response, require the disclosure of confidential or exempt information;
- (vii). not relate to an operational matter so as to be more appropriately responded to by an officer;
- (viii). in the case of questions to Cabinet Members, relate to that Cabinet Member's portfolio; and
- (ix). in the case of questions to chairs of committees and sub-committees, relate to the terms of reference of that committee or sub-committee.

The Monitoring Officer may, at his or her sole discretion, reject any question which does not comply with the above criteria.

4.18.3 Notice of Questions

A Member may ask a question under Rule 4.18.1 above if either:

4.18.3.1 he or she has given at least three clear days' notice in writing of the question to the Monitoring Officer; or

4.18.3.2 the question relates to urgent matters, he or she has the consent of the Presiding Member and the Member to whom the question is to be put and the content of the question is given to the Monitoring Officer by 2pm on the day of the meeting. Where there is a dispute as to whether a matter is urgent, such shall be determined by the Presiding Member in consultation with the Monitoring Officer.

4.18.4 Maximum Number of Questions

A Member may not submit more than one written question under Rule 4.18.3 per meeting, except with the consent of the Presiding Member.

4.18.5 Order of Questions

4.18.5.1 At an ordinary meeting, the agenda item of Members' questions shall begin with questions to the Leader, followed by questions to Cabinet Members and then questions to chairs of committees and sub-committees. The item shall begin with the Presiding Member inviting the Leader to make any announcements that the Leader wishes to make.

4.18.5.2 Immediately the Leader has finished making such announcements, he or she shall proceed to answer the first question, which shall not be read out, unless submitted according to 4.18.3(b) above. After the Leader has answered the question, the Presiding Member shall invite the Member who submitted the question to ask a supplementary question, should he or she wish to do so. The Leader shall then respond to the supplementary question (if one is asked). Subsequent questions will be dealt with in the same manner, until either all questions have been responded to or the prescribed time limit for the session has elapsed.

4.18.5.3 The order of the asking of questions to the Leader shall be as follows:

- (i). the Leader of the Opposition;
- (ii). the leaders of the other political groups, in descending order according to group size;
- (iii). other Members who have submitted questions, with the order of questions to be determined by a ballot conducted by the Monitoring Officer following the deadline for the receipt of written questions.

- 4.18.5.4 The questions referred to in Rule 4.18.5.3(iii) above shall, so far as is practicable, alternate between questions from opposition Members and Members of the ruling party.
- 4.18.5.5 In the absence of the Leader, the Deputy Leader shall respond to questions to the Leader on the Leader's behalf. The Leader of the Opposition or of another political group may, if unable to attend the meeting, designate another member of his or her group to ask a question of the Leader on his or her behalf.
- 4.18.5.6 Save for where it refers to the Leader's announcements, Rule 4.18.5.2 above shall apply to questions to Cabinet Member and to chairs of committees and sub-committees.
- 4.18.5.7 The order of questions to Cabinet Members and chairs of committees and sub-committees shall be determined by a ballot conducted by the Monitoring Officer prior to the meeting. There shall be no pre-determined order of precedence with regard to the order of the questions, however, the Monitoring Officer shall ensure that, so far as is practicable, the questions alternate between questions from Members of the opposition Members and Members of the ruling Party or group.
- 4.18.5.8 The timing of the responses to questions accepted under Rule 4.18.5.2 above shall be at the discretion of the Presiding Member.
- 4.18.5.9 The Monitoring Officer shall ensure that all valid written questions received in accordance with 4.18.3(a) above are printed on the agenda document for the meeting in the order in which they are to be answered by the Leader.

4.18.6 Responses to Questions

An answer may take the form of:

- 4.18.6.1 a direct oral answer at the meeting;
- 4.18.6.2 where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- 4.18.6.3 where the reply cannot conveniently be given orally, a written answer circulated within five working days to the questioner.

Where the Member answering the question answers in accordance with (b) or (c) above, the Member who submitted the question will nonetheless be entitled to ask a supplementary question in accordance with Rule 4.18.7.

4.18.7 Supplementary Question

A Member asking a question under Rule 4.18.3 above may ask one supplementary question, without notice, of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply and must comply with the requirements

of Rule 4.18.2 above. The Presiding Member, if necessary in consultation with the Monitoring Officer, may reject any question which does not comply with those requirements.

4.18.8 Length of Responses and Supplementary Questions

There shall be a time limit of 2 minutes for each of the following:

- (a). an oral response to a written question;
- (b). an oral supplementary question; and
- (c). an oral response to a supplementary question.

4.18.9 Time Allowed for Questions at Council Meetings

4.18.9.1 The time allowed for consideration of questions submitted under Rule 4.18.3 above shall not, without the consent of the Council, exceed twenty minutes in the case of questions to the Leader and, for other questions, ten minutes per Cabinet Member or Committee Chair.

4.18.9.2 At the conclusion of the answer to the question under consideration at the expiry of the time limit stipulated in 4.18.9(a) above (or such longer period to which the Presiding Member has consented) from the time when the first questioner started to speak, the Presiding Member shall conclude that item of business.

4.18.9.3 Any remaining questions shall be responded to in writing before the next ordinary meeting of the Council.

4.18.10 Points of Order during Questions

A point of order may only be raised during the item of questions to the Leader, Cabinet Members and chairs of committees and sub-committees if that point of order relates to this Rule 4.18. Where a Member wishes to raise such a point of order, he or she shall identify the section of Rule 4.18 to which it relates.

4.19 Motions on Notice

4.19.1 Notice

Except for motions which may be moved without notice under Rule 4.20 below or where the law or another provision of this Constitution states otherwise, written notice of every motion must be delivered to the Monitoring Officer not later than 4pm on the seventh working day before the Council meeting at which it is to be considered. Motions received will be kept and published by the Monitoring Officer in a form that enables them to be made available for public inspection.

4.19.2 Motion Set Out in Agenda

Motions for which notice has been given will be listed on the agenda in the order determined by the Presiding Member.

4.19.3 Scope

4.19.3.1 Motions must be about matters for which the Council has responsibility or which affect the wellbeing of the administrative area of the Council. The Monitoring Officer shall be the sole arbiter of whether a motion is permissible under this Rule.

4.19.3.2 If a motion which is set out in the agenda for a meeting is not moved at that meeting, either by the Member who gave notice of it or by another member acting on his or her behalf, that motion shall be treated as withdrawn and may not be moved without fresh notice.

4.19.3.3 Where a motion relates to a function reserved to the Cabinet or a Cabinet Member and the Monitoring Officer decides that it may be discussed at a meeting of Full Council, Full Council may consider the matter, express its view and resolve to ask the Cabinet or Cabinet Member to consider the matter in light of that view. However, Full Council may not take any substantive decision regarding the matter.

4.19.4 Motion to Remove the Leader

4.19.4.1 A motion to remove the Leader cannot be moved unless the notice of motion is signed by a number of councillors which is at least equivalent to at least fifteen percent of the total number of Members of the Council. Such notice must include the signatures of councillors from at least two different political groups.

4.19.4.2 In order for such a motion to be carried, it must have the support of at least two thirds of those Members voting and present at the time the question was put.

4.19.4.3 A motion to remove the Leader cannot be moved more than once in any rolling twelve month period.

4.19.5 One Motion per Member

No Member may give notice of more than one motion for any Council meeting, except with the consent of the Presiding Member.

4.19.6 No Motion on Notice to be discussed at Annual Meeting

No Motion submitted according to this Rule 4.19 shall be added to the agenda for or debated at an Annual Meeting.

4.20 Motions without Notice

The following motions may be moved without notice:

- 4.20.1 to appoint a Chair of the meeting at which the motion is moved;
- 4.20.2 in relation to the accuracy of the minutes of a previous meeting;
- 4.20.3 to change the order of business in the agenda;
- 4.20.4 to refer something to an appropriate body or individual;
- 4.20.5 to appoint a Council body or representatives of the Council to an outside organisation where that appointment arises from an item on the summons for the meeting;
- 4.20.6 to receive reports or adopt the recommendations of committees or Officers and any resolutions arising from them;
- 4.20.7 to withdraw a motion;
- 4.20.8 to amend a motion;
- 4.20.9 to proceed to the next business;
- 4.20.10 that the question be now put;
- 4.20.11 to adjourn a debate;
- 4.20.12 to adjourn a meeting;
- 4.20.13 to suspend a particular Council Procedure Rule;
- 4.20.14 to exclude the public and press in accordance with the Access to Information Procedure Rules;
- 4.20.15 to not hear further a Member named under Rule 4.27.3 or to exclude him or her from the meeting under Rule 4.27.4;
- 4.20.16 to give the consent of the Council where its consent is required by this Constitution;
- 4.20.17 a motion of no confidence in the Presiding Member or person chairing the meeting.

4.21 Rules of Debate

4.21.1 General

- 4.21.1.1 Members who wish to speak during a debate shall indicate this to the Presiding Member whilst remaining seated. No Member shall speak until invited to do so by the Presiding Member.
- 4.21.1.2 When speaking, Members shall stand, if able to do so, and address the Presiding Member.
- 4.21.1.3 When a Member is speaking, all other Members shall remain silent.

4.21.1.4 Comments and speeches by Members must be directed to the matter of the discussion, be a personal explanation or raise a point of order

4.21.2 Proposal of Motion

4.21.2.1 Any motion, whether with or without notice, must be proposed and seconded orally. In the case of a motion with notice, the motion may be proposed by the Member who gave notice of it or by some other Member acting on his or her behalf.

4.21.2.2 There shall be no discussion of any motion until it has been proposed and seconded as set out above.

4.21.2.3 The proposer of a motion shall, when proposing it, explain the purpose of the motion and may speak in support of the motion. Such speech shall not, without the consent of the Presiding Member, exceed seven minutes in length.

4.21.2.4 The seconder of a motion shall be entitled to speak immediately after the proposer's speech. In the alternative, the seconder may elect to speak later in the debate.

4.21.3 Right to Require Motion in Writing

Unless notice of the motion has already been given, the Presiding Member may require it to be written down and handed to him or her before it is discussed.

4.21.4 Content and Length of Speeches

Speeches must be directed to the matter or motion under discussion or to a personal explanation or point of order. Save for where stated otherwise in these Rules, no speech may exceed three minutes without the consent of the Presiding Member.

4.21.5 When a Member may Speak Again

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

4.21.5.1 to speak once on an amendment moved by another Member;

4.21.5.2 to move a further amendment if the motion has been amended since he or she last spoke;

4.21.5.3 if his or her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he or she spoke was carried);

4.21.5.4 in exercise of a right of reply;

4.21.5.5 on a point of order; and

4.21.5.6 by way of personal explanation.

4.21.6 Amendments to Motions

4.21.6.1 An amendment to a motion must be relevant to the motion and will either be:

- (a) to refer the matter to an appropriate body or individual for consideration or reconsideration;
- (b) to leave out words;
- (c) to leave out words and insert or add others; or
- (d) to insert, add or substitute words

provided that the effect of an amendment under 4.21.6.1(b) to (d) above is not to negate the motion.

4.21.6.2 Any amendment must be proposed and seconded before it is discussed or voted on. The proposer of the amendment shall explain the nature and purpose of the amendment. The seconder may speak immediately after the proposer or may reserve his or her right to speak later in the debate. Any speeches by the proposer and seconder shall not exceed three minutes each in length without the consent of the Presiding Member.

4.21.6.3 The Presiding Member may at his or her discretion require any amendment to be written down and passed to the Presiding Member before any debate or vote on that amendment takes place.

4.21.6.3 Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been decided.

4.21.6.4 If an amendment is not carried, other amendments to the original motion may be moved.

4.21.6.5 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

4.21.6.6 After an amendment has been carried, the Presiding Member will read out the amended motion before inviting further comments on or accepting any further amendments to, the substantive motion or if there are none, put it to the vote.

4.21.7 Alteration of Motion

- 4.21.7.1 A Member may alter a motion of which he or she has given notice with the consent of the meeting. The meeting's consent will be voted on without discussion.
- 4.21.7.2 A Member may alter a motion which he or she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- 4.21.7.3 Only alterations which could be made as an amendment may be made.

4.21.8 Withdrawal of Motion

A Member may withdraw a motion which he or she has moved with the consent of both the meeting and the seconder. The meeting's consent will be voted on without discussion. No Member may speak on the motion after the mover has asked for permission to withdraw it unless permission is refused.

4.21.9 Right of Reply

- 4.21.9.1 The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote. There shall be no time limit on the length of this speech.
- 4.21.9.2 If an amendment is moved:
 - (a) the mover of the original motion has the right of reply at the close of the debate on the amendment; and
 - (b) the mover of the amendment shall have a right of reply immediately prior to the speech in 4.21.9.2(a) above.

The speeches in 4.21.9.2(a) and (b) above shall not exceed three minutes in length without the consent of the Presiding Member.

- 4.21.9.3 A Member exercising a right of reply shall only address issues which have arisen during the debate on the motion or amendment. He or she may not introduce any new issues at this stage.
- 4.21.9.4 Except as provided for in 4.21.9.2 above, neither the mover of an amendment nor the mover of the substantive motion to which that amendment relates shall have any right to speak to the debate on the amendment, save for a making a personal explanation or raising a point of order.

4.21.10 Motions which may be Moved During Debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- 4.21.10.1 to withdraw a motion;
- 4.21.10.2 to amend a motion;
- 4.21.10.3 to proceed to the next business;
- 4.21.10.4 that the question be now put;
- 4.21.10.5 to adjourn a debate;
- 4.21.10.6 to adjourn a meeting;
- 4.21.10.7 to exclude the public and press in accordance with the Access to Information Procedure Rules; and
- 4.21.10.8 to not hear further a Member named under Rule 4.27.3 or to exclude them from the meeting under Rule 4.27.4.

4.21.11 Closure Motions

- 4.21.11.1 A Member may move, without comment, the following motions at the end of a speech of another Member;
 - (a) to proceed to the next business;
 - (b) that the question be now put;
 - (c) to adjourn a debate; or
 - (d) to adjourn the meeting.
- 4.21.11.2 If a motion to proceed to the next item of business is seconded and the Presiding Member thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- 4.21.11.3 If a motion that the question be now put is seconded and the Presiding Member thinks the item has been sufficiently discussed, he or she will put the procedural motion to the vote. If it is passed, he or she will give the mover of the original motion a right of reply before putting his or her motion to the vote.
- 4.21.11.4 If a motion to adjourn the debate or to adjourn the meeting is seconded and the Presiding Member thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he or she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

4.21.12 Point of Order

A point of order is a request from a Member to the Presiding Member to Rule on an alleged irregularity in the procedure of the meeting. A Member may raise a point of order at any time. The Presiding Member will hear the point of order immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the Rule or law and the way in which he or she considers it has been broken. The ruling of the Presiding Member on the matter will be final.

4.21.13 Personal Explanation

A Member may make a personal explanation at any time. A personal explanation concerning a material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. A personal explanation shall not address any other points and the ruling of the Presiding Member on the admissibility of a personal explanation will be final.

4.22 Previous Decisions and Motions

4.22.1 Motion to Rescind a Previous Decision

4.22.1.1 A motion or amendment:

- (a) to rescind a decision made at a meeting of the Full Council within the past three months; or
- (b) which is in similar terms to a motion or amendment which has been rejected by the Full Council within the past 3 months;

may not be moved without a resolution of Full Council giving consent for such motion or amendment.

4.22.1.2 Any motion requesting the consent referred to in Rule 4.22.1.1 above must be proposed and seconded and then voted upon immediately. There shall be no debate or discussion of such a motion and no speeches on it, including by the proposer and seconder.

4.22.1.3 Where a motion under this Rule 4.22.1 is rejected by the Full Council, no identical or similar motion shall be placed on the agenda for any meeting of the Full Council within 3 months of the date of the rejection.

4.23 Voting

4.23.1 Majority

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those Members voting and present at the time the question was put.

4.23.2 Presiding Member's Casting Vote

If there are equal numbers of votes for and against any motion or matter being voted upon, the Presiding Member shall have a second or casting vote. There shall be no restriction as to how the Presiding Member chooses to exercise a casting vote.

4.23.3 Method of Voting

Unless a recorded vote is demanded under Rule 4.23.4, the Presiding Member will take the vote by show of hands or equivalent gesture from any Member participating in the meeting remotely, or by use of any electronic voting system installed in the room where the meeting is taking place or, if there is no dissent, by the affirmation of the meeting.

4.23.4 Recorded Vote

If five or more Members present at the meeting demand it, including members who are participating in the meeting remotely, the names for and against the motion or amendment and of those Members who abstained from voting will be taken down in writing by the Monitoring Officer and entered into the minutes.

4.23.5 Right to Require Individual Vote to be Recorded

Where any Member requests it immediately after the vote is taken, his or her vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

4.23.6 Voting on Appointments

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

4.24 Minutes

Minutes of meetings shall:

- 4.24.1 refer to all of the items on the agenda for the meeting in the order that they were discussed;
- 4.24.2 include a brief summary of the points made in any debate or discussion;
- 4.24.3 set out in full the wording of any resolution adopted or decision made at the meeting;
- 4.24.4 set out in full the wording of any proposed amendments to resolutions together with the outcome of the vote on those amendments;

4.24.5 include any other information that they are required to contain by this Constitution

4.25 Record of Attendance

The names of the Members present at a meeting will be recorded. Members attending meetings in person are required to sign the attendance sheet provided in order to assist with record keeping.

4.26 Exclusion of Public

Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in Section 15 of this Constitution or Rule 4.28 (Disturbance by Public).

4.27 Members' Conduct

4.27.1 Speaking at Meetings

When a Member speaks at Full Council he or she must address the meeting through the Presiding Member. If more than one Member signifies their intention to speak, the Presiding Member will ask one to speak. Other Members must remain silent whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

4.27.2 Presiding Member Speaking

When the Presiding Member speaks during a debate, any Member speaking at the time must stop speaking and sit down.

4.27.3 Member not to be Heard Further

If a Member persistently disregards a ruling of the Presiding Member by behaving improperly or offensively or deliberately obstructs business, the Presiding Member may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

4.27.4 Member to Leave the Meeting

If the Member continues to behave improperly after motion under 4.27.3 is carried, the Presiding Member may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

4.27.5 General Disturbance

If there is a disturbance of any description making orderly business impossible, the Presiding Member may adjourn the meeting for as long as he or she thinks necessary.

4.28 Disturbance by Public

4.28.1 Removal of a Member of the Public

If a member or members of the public interrupt/s proceedings, the Presiding Member shall warn the person/s concerned. If they continue to interrupt, the Presiding Member will order their removal from the meeting room or their removal from the online platform by which they are accessing the meeting from another location, as appropriate.

4.28.2 Clearance of Part of Meeting Room

If there is a general disturbance in any part of the meeting room open to the public, the Presiding Member may call for that part of the room to be cleared.

4.28.3 Clearance of Online Meeting Platform

If there is a general disturbance on the online meeting platform, the Presiding Member may call for the online meeting platform to be muted, temporarily suspended or closed.

4.29 Filming and Use of Social Media During Meetings

Filming and the use of social media is permitted during meetings so long as there is no disturbance to the conduct of the meeting.

4.30 Electronic Broadcasts of Meetings

4.30.1 Ordinary meetings of the Council will be broadcast live on the Council's website so that members of the public not in attendance at the meeting are able to see and hear the proceedings. The recording shall remain accessible online for at least one calendar month following the meeting.

4.31 Suspension and Amendment of Council Procedure Rules

4.31.1 Suspension

All of these Council Rules of Procedure except Rule 4.19.4 (motion to remove the Leader), 4.19.5 (one motion per member) and 4.23.5 (right to require individual vote to be recorded) may be suspended by a motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension may only be for the duration of the meeting. Rule 4.19.5 may only be suspended by motion on notice and the motion must have the support of at least two thirds of those Members present and voting.

4.31.2 Amendment

Any motion to add to, vary or revoke these Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

4.32 Application to Committees and Sub-Committees

All of the Council Rules of Procedure apply to meetings of Full Council. None of the Rules shall apply to meetings of the Cabinet. Only Rules 4.13 to 4.16, 4.18 to 4.21, 4.22 to 4.32 (but not Rule 4.27.1) apply to meetings of committees and sub-committees.