

## **PART 3 – RULES GOVERNING HOW THE COUNCIL OPERATES**

### **1. Council Procedure Rules**

#### **Council Meetings**

##### **Annual Meetings**

1. In a year where there is an ordinary election of councillors, the Annual Meeting of the Council will take place within 21 calendar days of the retirement of the outgoing councillors. In any other year, the Annual Meeting will take place in March, April or May, as determined by the Council.
2. In the period after ordinary council elections and before the Annual Meeting, any member who holds office within the Council immediately prior to the election AND is re-elected, shall continue in that office until the date of the Annual Meeting.
3. The Annual Meeting of the Council will:
  - (a) Elect a Chair for the new civic year;
  - (b) Elect a Deputy Chair for the new civic year;
  - (c) If necessary, elect an Executive Leader;
  - (d) Decide the allocation of seats to political groups in accordance with the political proportionality rules;
  - (e) Elect Chairs and Deputy Chairs for committees and appoint members to committees in line with political group nominations;
  - (f) Approve the minutes of the last meeting.

##### **Ordinary Meetings**

4. Ordinary Meetings will:
  - (a) If the Chair or Deputy Chair are not present, elect a member of the Council to Chair the meeting;
  - (b) Approve the minutes of the last meeting;
  - (c) Receive any declarations of interest from members;
  - (d) Receive any announcements from the Chair;
  - (e) In exceptional circumstances and at the discretion of the Chair, receive announcements from a councillor or an officer;

- (f) Receive the Leader's Statement (where appropriate);
- (g) In accordance with these rules to:
  - (i) receive any questions from, and provide answers to, the public;
  - (ii) receive any petitions;
  - (iii) receive any questions from and provide answers to councillors.
- (h) Deal with any business from the last council meeting;
- (i) Receive any reports on current issues from the Cabinet, the Council's committees, joint committees, boards or officers;
- (j) Receive any reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (k) Consider any motions;
- (l) Consider any other business specified in the summons to the meeting.

### **Rescheduling Ordinary Meetings**

5. A resolution may be passed at an Ordinary Meeting of Council requiring that:
  - (a) any subsequent Ordinary Meeting be held at a different date, time or place;  
or,
  - (b) an additional Ordinary Meeting be held at a specific date, time or placeprovided in either case that the date proposed is no fewer than 10 days away from the date of the meeting at which a resolution under this paragraph is carried.
6. There will be a presumption against making changes to the agreed timetable of meetings. However, between Ordinary Meetings the Chair may, following consultation with the Deputy Chair, alter the date, time or place of an Ordinary Meeting.

### **Budget Meetings**

7. The Council meeting convened to consider the Budget shall follow the procedure set out in paragraph 4(a) to (d) above only, but in addition shall receive any questions from, and provide answers to, the public and consider proposals from the Cabinet in relation to the Council's Budget and Policy Framework.
8. Any vote (including procedural and on amendments) relating to budget setting and council tax decisions made by Full Council must be undertaken by a recorded vote.

9. Section 106 of the Local Government Finance Act 1992 bars a councillor from voting on the Council's budget if they have an outstanding council tax debt of over two months. If a member is present at any meeting at which relevant budgetary matters are discussed, they must disclose that s.106 applies and may not vote. Failure to comply is a criminal offence.

### **Extraordinary Meetings**

10. Between Ordinary Meetings, an Extraordinary Meeting of Council may take place as follows:
  - (a) Called by the Chair, following consultation with the Deputy Chair, on giving no fewer than six clear working days' notice of the proposed date to the Director of Governance.
  - (b) If the Chair refuses or does not call an Extraordinary Meeting within seven days after being presented with a requisition for that purpose signed by five members, then any five members, on that refusal or on the expiration of those seven days, may forthwith call an Extraordinary Meeting.
  - (c) The Director of Governance - in consultation with the Chair.
11. The business to be transacted at an Extraordinary Meeting shall be restricted to the matters for which the meeting was called as set out in the summons/agenda, and no other business shall be considered.

### **Special Purpose Meetings**

There are also meetings of the Council that may be convened for a specific statutory purpose, e.g. the appointment of honorary aldermen and honorary alderwomen.

### **Conduct of Meetings**

#### **Chair and Deputy Chair**

12. The Chair will preside over meetings.
13. If the Chair is absent then the Deputy Chair will preside.
14. Cabinet Members shall not be eligible for appointment to the position of Chair or Deputy Chair of the Council.
15. If the Chair and the Deputy Chair are absent then the Director of Governance (or their nominee) will preside and the first item of business shall be the appointment of another member (other than a Cabinet Member) to preside over the meeting.
16. Persons presiding over meetings in the place of the Chair shall have the same powers and duties as the Chair.

#### **Respect for the Chair and Deputy Chair**

17. Where able, members and officers will stand whilst the Chair and the Deputy Chair of the Council enter and leave the room, except in the case of a remote meeting.
18. Whenever the Chair rises (or otherwise indicates) during a debate, any member then standing shall sit down and the meeting shall be silent.

### **Election to Offices**

19. Members shall not be eligible for appointment to the position of Chair or Deputy Chair of a committee unless they are a member of the committee in question.
20. Where a vacancy occurs in any office, an election will be held at the next Ordinary Meeting unless the Council decides otherwise.
21. Unless the Council decides otherwise, elections to office will be conducted by a show of hands (or such other method as is agreed by the Chair) and a single election may take place in respect of any number of offices.

### **Quorum**

22. No business shall be transacted at a Full Council meeting where fewer than 19 members are present.
23. If a meeting becomes inquorate after it has commenced, then it shall be adjourned. Remaining business will be considered at the next Ordinary Meeting.

### **Matters for Decision**

24. All matters for decision will be included within the agenda.
25. The Chair may agree that an item of business which is urgent shall be dealt with at a meeting even if it is not on the agenda for that meeting. The Chair shall give the reason for the urgency.
26. Business shall be dealt with in the order in which it is set out in the agenda unless the Chair decides otherwise.
27. There will be an early item on every agenda requiring members to declare any relevant interests in any item appearing on the agenda. Members are required to observe the requirements in the Member Code of Conduct (see Part 4 Section 6) and withdraw from the meeting at the appropriate point where they have an interest which requires them to do so.

### **Duration of Meetings**

28. Unless a resolution is passed for the meeting to continue, any meeting that has lasted for three hours will adjourn immediately. Remaining business will be considered at the next Ordinary Meeting.

### **Minutes, Records and Disclosure of Information**

### **Minutes and Records of Decisions**

29. At each Ordinary Meeting, the Chair will move that the minutes of the last meeting be confirmed as an accurate record.
30. Only matters relating to the accuracy of the minutes can be raised by way of a Motion proposed, seconded and voted upon. Where no issues are raised, or after any Motion has been dealt with, the Chair shall initial each page and sign the minutes.
31. There is no requirement to sign the minutes of a previous meeting at an Extraordinary Council Meeting.
32. Members may make comments on the Record of Cabinet Decisions and Minutes of Committees at the discretion of the Chair.
33. Questions about the accuracy of any matter arising from the Record of Cabinet Decisions or Committee minutes are not for determination by Council but may be referred to the Cabinet or committee as the case may be.

### **Records of Attendance**

34. Councillors attending the whole or part of a meeting must sign their name on the attendance sheet provided.

### **Leader's Statement**

35. In exceptional circumstances, the Chair may permit the Leader to make a statement summarising important or urgent developments or activities affecting the Borough since the preceding meeting of the Council. The Leader's speech on this item will be limited to three minutes.
36. The leader of the largest opposition group will be given the opportunity to ask a question (plus one supplementary question) on the Leader's Statement. All questions will be answered immediately by the Leader or the relevant Cabinet Member if the Leader refers any question to them, unless sufficient information to give an answer is not available. In these circumstances, a response will be provided in writing within five working days of the Council meeting at which the question was raised.

### **Questions from Members**

#### **Questions without Notice**

37. Questions may be asked about any business on the agenda when that business is under discussion.

#### **Questions on Notice**

38. Subject to paragraphs 39 and 40, any member may ask (as appropriate) the Leader or a Cabinet Member any question about a matter in respect of which the Council has powers or duties or which particularly affects the Borough.

39. A member may only ask a question under paragraph 38 if they have either:
- (a) given notice to the Director of Governance no later than 10am two clear working days before the meeting or
  - (b) the question relates to an urgent matter, they have the consent of the Chair to ask it and they have given notice containing the text of the question to be asked to the Director of Governance before the start of the meeting
40. Upon receipt of a Notice of Question under paragraph 39(a) or (b), the Chair on the advice of the Director of Governance may determine that the question shall not be asked if it:
- (a) does not relate to a matter in respect of which the Council has powers or duties;
  - (b) can, with the agreement of the proposed questioner, be more properly asked in another forum;
  - (c) is defamatory, frivolous, offensive or vexatious;
  - (d) is substantially the same as a question that has been asked by a member (whether at Council or in another forum) within the last three months, which has been adequately answered or actioned, and there has been no material change in circumstances since that time
41. If a question requires the disclosure of confidential or exempt information as defined in the Local Government Act 1972, it may be raised at a relevant point on the agenda (as determined by the Chair) following a resolution to exclude the public.

### **Replies and Supplementary Questions**

42. Questions will be asked and answered without discussion. The member responding will use their reasonable endeavours to address all of the matters raised in the question. The member responding may:
- (a) decline to answer any question
  - (b) reply directly
  - (c) reply by reference to a publication
  - (d) reply by written answer with a copy to such other members of the Council as the meeting agrees
  - (e) refer the question to an appropriate committee or to the Cabinet
43. Following the answer to each question, the questioner may ask a supplementary question without notice, which must relate to the initial answer. The Chair may reject a supplementary question on any of the grounds set out

in this section of these rules. In particular, a reply will not be given (at the answering member's discretion) if the question is:

- (a) not related to the initial answer
- (b) unduly lengthy
- (c) inappropriate

### **Time for Questions**

- 44. The period of time allocated to members to ask questions under this section (including any permitted supplementary questions) will be determined by the Chair.
- 45. If there are more than six questions that qualify to be asked, then the Chair will select questions at random, on a politically alternate basis.
- 46. A written response to any questions that are not answered at the meeting will be sent to the questioner and published on the Council's website within two days of the meeting (where practical).

### **Urgent Business**

- 47. Any item of urgent Non-Executive business that has to be decided before the next Council meeting may be determined by the Chief Executive in accordance with this part.
- 48. The Chief Executive may take any necessary action after consulting the relevant Chair, the Leader and Opposition spokespersons (or, where unavailable, their deputies). The relevant Cabinet member shall also be advised and consulted, where practical.
- 49. The Chief Executive is authorised to take any action necessary during any gaps in governance that arise, such as the period during a year of elections to the Council between the day four days after the date of the elections and the date of Annual Council.
- 50. A report of any action taken under this part shall be made available by electronic means to all members.

### **Public Speaking and Questions**

- 51. Members of the public may speak or ask a question at Council, Cabinet and committee meetings open to the public on any subject that is relevant to matters on the agenda.
- 52. A separate procedure is defined for public speaking at Planning Committee (see Part 3 Section 3).
- 53. The Chair will retain sole discretion as to the management of public speaking and questions, but normally a total period of 15 minutes will be permitted with speakers being allowed to speak for up to five minutes each.

54. Questions will be asked and answered without debate.
55. In responding to questions, members may answer directly, decline to answer, agree to answer at or by a later (specified) date (whether or not in writing), or refer the question to a more appropriate forum, member or officer.
56. Questions will not be answered if they:
  - (a) are about a matter that the Council is not responsible for or does not affect the Borough
  - (b) are defamatory, frivolous, offensive or vexatious
  - (c) require the disclosure of Exempt Information
  - (d) make or relate to allegations against, or compromise comments about the conduct of individual members or officers

### **Motions**

57. Motions may be moved by any member but they shall not be discussed unless proposed and seconded.
58. Unless Notice of a Motion has already been given, the Chair may require Motions to be provided in writing before they are further discussed or put to the meeting.

### **Motions without Notice**

59. The following Motions may be moved without notice:
  - (a) to appoint a Chair and/or Deputy Chair of the meeting
  - (b) in relation to the accuracy of the minutes
  - (c) to change the order of business on the agenda
  - (d) to give consent where the consent of the Council is required by these Procedure Rules
  - (e) any Motion relating to any item currently under discussion
  - (f) to refer the matter to an appropriate body, individual or subsequent meeting
  - (g) to withdraw a Motion
  - (h) to amend a Motion
  - (i) to proceed to the next business
  - (j) to put the question
  - (k) to adjourn the debate



- (l) to adjourn the meeting
- (m) to continue the meeting beyond three hours
- (n) to extend the time allowed for speeches
- (o) to suspend a particular Procedure Rule(s)
- (p) to exclude the press and public
- (q) that a member who misconducts themselves should not be heard further
- (r) that a member should leave the meeting

### **Motions Which May Be Moved During Debate**

- 60. Only Motions listed at paragraph 60(d) to (r) may be moved whilst another Motion is already under debate.

### **Motions on Notice**

- 61. A Motion on Notice is not a decision-making mechanism but can enable, if passed, a statement of intent or a clear indication of the policy preference of Council. Motions are a way that members can introduce to the Council chamber issues which they regard of importance to the Borough and seek to persuade Full Council to debate the issue. Any decision that may flow from the Motion (such as committing resources or policy changes or reversal) would need to go through the appropriate Council decision-making processes.
- 62. Any member may place a Motion relating to a matter that the Council is responsible for, or which affects the Borough, on a Full Council meeting agenda.
- 63. Notice of every Motion (in respect of which notice is required) shall be given to the Director of Governance no more than 20 and no fewer than seven clear working days prior to the meeting at which the Motion is intended to be heard.
- 64. If Notice is given of any Motion which, in the opinion of the Chair (and on the advice of the Director of Governance) is deemed to be inappropriate or illegal, the Chair may decline to include it on the agenda. If a Motion is declined, the member who gave Notice will be informed why.
- 65. The order in which Motions shall be placed on meeting agendas will be determined by reference to any other business required to be transacted and in accordance with the order in which Notices of Motion are received.
- 66. The Chair may alter the order in which Motions are placed on agendas where it is considered that there is good reason to do so (whether or not upon the request of the prospective Mover).
- 67. At the appropriate point in the relevant meeting, the Chair shall offer the Mover up to two minutes to explain why they wish the motion to be debated at Council.

Once an indication is given, the Chair will invite a Seconder for the Motion. The right of any Seconder to make a speech shall depend on how the Council decides to deal with the Motion.

68. Following the introduction and seconding of any Motion under paragraph 68, the Council will vote on whether or not to debate the motion for up to 15 minutes. If not debated the Motion will automatically be referred to the Cabinet or appropriate committee.
69. If a Motion is debated, then the rules relating members' speeches below shall apply with the first entitlement to speak resting with the Mover.
70. If the Motion is referred to the Cabinet or a committee, then the Mover and Seconder shall be given the right to speak at the forum to which the Motion is referred.
71. If a Motion relates to a matter that requires a decision of the Cabinet, then the Council must refer the Motion to the Cabinet, either before or after any debate at Council.
72. A Motion requiring notice which has not been duly given in accordance with this section may nevertheless be dealt with at the meeting if the Chair is of the opinion that there are special circumstances justifying its consideration as a matter of urgency. The Chair may be asked to provide reasons for their decision.

### **Repeat Motions and Rescinding Resolutions**

73. Subject to paragraph 75, no Motion may be moved which would have the effect of rescinding any resolution passed within the preceding six months, or which is to the same effect as a Motion which has been rejected within that period.
74. A Motion of the type prohibited under paragraph 74 may be moved if:
  - (a) brought upon a minuted recommendation of the Cabinet or a committee; or
  - (b) Notice of the Motion is signed by at least 24 members has been given and accepted under paragraphs 68 and 69.

### **Amendments and Alterations to Motions**

75. An amendment to a motion must:
  - (a) be relevant to and intelligible with the motion;
  - (b) add and/or delete a word or words;
  - (c) not introduce a new topic;
  - (d) not negate, contradict or overturn the motion;
  - (e) be worded so that, if it is agreed, it can be passed as a valid resolution;

- (f) not be, in the opinion of the Director of Governance, defamatory, frivolous, offensive or otherwise out of order.
76. Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of, although the Chair may allow two or more amendments to be discussed (but not voted on) together if this would facilitate the proper conduct of the business before the meeting.
  77. If an amendment is carried, the Motion as amended shall take the place of the original Motion and shall become the substantive Motion upon which any further amendment may be moved.
  78. After an amendment had been carried, the Chair will read out the amended Motion before accepting any further amendments or, if there is none, putting it to the vote.
  79. If an amendment is lost, another amendment may be moved on the original Motion.
  80. Not more than one amendment may be made to a Motion by any one councillor.
  81. Amendments to the Budget or Policy Framework at Budget Council meetings must be cleared by the Section 151 Officer before the meeting.
  82. If notice of an amendment to a Motion on the agenda has been received prior to the meeting, the Chair will ask the mover of the original Motion to indicate if they agree to accept the amendment. If so, the amendment becomes part of the substantive Motion without debate.
  83. If an amendment is moved and seconded during debate, the Chair will ask the mover and seconder of the original Motion if they are content to accept the amendment. If so, the amendment becomes part of the substantive motion without debate.
  84. A member may alter a Motion of which they have given notice with the consent of meeting, or in the case of a Motion proposed and seconded, with the consent of the seconder and the meeting. In either case the meeting's consent shall be signified without discussion.
  85. Any alteration proposed must be of a type permitted to be moved as an amendment.

### **Withdrawal of Motions and Notices of Motion**

86. A member may withdraw their Notice of Motion at any time before it is proposed.
87. A member may withdraw a Motion after it has been proposed with the consent of both the meeting and any Secunder. The meeting's consent will be signified

without discussion. No member may speak on the Motion after the Mover has asked permission to withdraw it unless permission is refused.

### **Closure of Motions**

88. At the conclusion of a member's speech, another member may move (without comment) any of the Motions set out in paragraph 60(i) to (l) inclusive.
89. Upon the seconding of a Motion to proceed to the next business, the Chair shall (unless of the opinion that the matter has not been sufficiently discussed) invite the right of reply to be exercised in respect of the Motion under discussion and then put it to the vote before proceeding to the next business.
90. Upon the seconding of a Motion to put the question, the Chair shall (unless of the opinion that the matter has not been sufficiently discussed) put the Motion to put the question to the vote and, if it is passed, invite the right of reply to be exercised in respect of the Motion under discussion before putting it to the vote.
91. Upon the seconding of a Motion to adjourn the debate or meeting, the Chair shall (unless of the opinion that the matter has not been sufficiently discussed) put the adjournment Motion to the vote without inviting the right of reply to be exercised in respect of the Motion under discussion.

### **State of the Borough Topical Debates**

92. Members wishing to initiate a State of the Borough Topical Debate at Council are required to submit to the Director of Governance suggested topics for debate no fewer than 20 clear working days prior to the Council meeting at which the debate is intended to be held.
93. A topical debate is not a standing item for every meeting of the Council and may be included on the agenda as and when appropriate, with reference to the content of the agenda, to be agreed by the Chair and the Chief Executive.

### **Members' Speeches**

#### **Content and Length of Speeches**

94. Members will confine speeches to the question under discussion, a personal explanation or a point of order. Unless otherwise provided in these Procedure Rules, no speech will exceed five minutes, without the consent of the meeting. The five minute time limit will exclude any time lost as a result of other members rising on a point of order or personal explanation.

#### **Only One Member to Stand at a Time**

95. Where able, when speaking at a meeting, a member shall stand (or such other method as is agreed by the Chair) to address the Chair. Whilst a member is speaking the other members will remain seated, unless rising on a point of order or in personal explanation.

96. At all other meetings, whilst a member is speaking the other members will remain silent, unless intervening on a point of order or personal explanation.

### **Order of Speeches**

97. The Mover of a Motion shall speak first, followed by the Seconder. When seconding a Motion, a member may advise the Chair that they reserve their right to speak until later in the debate.
98. Members shall, where able, indicate their intention to speak during a debate by raising their hand.
99. If two or more members indicate their intention to speak, the Chair shall determine the order of speeches.

### **When a member May Speak Again**

100. A member who has spoken on any Motion shall not speak again whilst it is the subject of debate except:
- (a) to speak once on an amendment moved by another member
  - (b) to move a further amendment if the Motion has been amended since they last spoke
  - (c) if the member's first speech was on an amendment moved by another member, then they may speak on the main issue whether or not the amendment on which they previously spoke was carried
  - (d) in exercise of a right of reply
  - (e) on a point of order
  - (f) by way of personal explanation
  - (g) to move one of the Motions specified in paragraph 60

### **Right of Reply**

101. The mover of a Motion shall have a right to reply at the close of the debate on the Motion, immediately before it is put to the vote.
102. If an amendment is moved, the mover of the original Motion shall have a right of reply at the close of the debate on the amendment but shall not otherwise speak on it.
103. The mover of the amendment shall have a right of reply to the debate on the amendment immediately before the Mover of the original Motion exercises their right of reply at the close of the debate on the amendment.

### **Points of Order and Personal Explanations**

104. A member may intervene on a point of order or in personal explanation and will be entitled to be heard immediately.
105. After a member has raised a point of order or personal explanation, the Chair shall rule on its admissibility. The Chair's ruling shall be final and not open to discussion.
106. A point of order shall relate only to an alleged breach of a Procedure Rule or statutory provision and the member shall specify the Procedure Rule or statutory provision and the way in which they consider it to have been breached.
107. A personal explanation shall be confined to some material part of a former speech by the rising Member which appears to them to have been misunderstood in the current debate.

### **Disorderly Conduct and Disturbances**

108. The Chair may direct (or a member may move), in respect of any member considered to be misconducting themselves, that the member shall not be heard further.
109. The Chair may direct (or a member may move), either following a direction (or resolution) under paragraph 61, or directly in the case of gross misconduct, either:
  - (a) that the member in question leaves the meeting or
  - (b) that the meeting is adjourned
110. The Chair, in the event of a general disturbance at any meeting which they consider to be disrupting the orderly transaction of business, may adjourn the meeting for as long as is considered necessary.
111. The Chair may warn any member of the public in respect of their conduct at a meeting. In the case of persistent or gross misconduct, the Chair may direct any person to be removed from the meeting.
112. In the event of a general disturbance in any part of the meeting room open to the public, the Chair may direct that part of the room to be cleared.

### **Voting**

#### **Method of Voting**

113. Unless otherwise provided elsewhere in this constitution, all matters will be decided by a simple majority of those members present and voting at the time the question is put.
114. Members must be in their designated seats for their vote to be counted.

115. Voting will be by a show of hands (or such other method as is agreed by the Chair), or if there is no dissent and no call for a vote, by the Chair being satisfied of the unanimous approval of the meeting.

### **Casting Vote**

116. Where there are equal votes cast for a Motion, the Chair may exercise a second or casting vote.

### **Recording Votes**

117. If eight members so request by rising in their places before the vote has begun to be taken (or such other method as is agreed by the Chair), the vote will be recorded to show whether and how each Member voted.
118. A member may require, after a vote is completed, that the minutes of the meeting record whether and how they voted.
119. A member may request, immediately after the item of business is voted upon, that a lost Motion be recorded in the minutes.
120. Immediately after a vote is taken on any item on the budget, council tax or housing revenue account, there must be recorded in the minutes of that meeting the names of the persons who cast a vote for or against the decision or who abstained from voting.

### **Officer Advice**

121. The Chair may request an appropriate officer to offer advice or draw the attention of the meeting to any relevant factors where a debate involves questions of a technical, legal, financial, operational or administrative nature.

### **Suspension of Procedure Rules**

122. With the exception of procedure rules relating to:
- (a) a member's right to request a record of how they voted and
  - (b) the confirmation of the minutes as an accurate record of the last meeting
- any of the Procedure Rules may be suspended for the duration of a meeting either:
- (i) in the case of their being more than one third of all members of the Council present, by a Motion without Notice or
  - (ii) in all other cases by a Motion on Notice

### **Interpretation of Procedure Rules**

123. The Chair (who may take advice from the Director of Governance) determines all matters relating to the interpretation or application of the Procedure Rules which arise during a meeting. The Chair's decision shall be final.
124. The Director of Governance determines all matters relating to the interpretation or application of the Procedure Rules which arise between meetings. The Director of Governance's decision shall be final.
125. Any requirement to make a notice or information available to anyone shall be fulfilled by publishing that information on the Council's website such that it is readily available to be viewed or printed off from the website and, on request, printed off at council offices to be given to personal callers in hard copy.
126. References in the Procedure Rules to an officer includes references to any duly authorised representative of that officer.
127. References in the Procedure Rules to members shall (unless the context otherwise requires) to be taken to mean references to members of the Council, Cabinet or committee in question.
128. References in the Procedure Rules to Motions includes (where the context so requires or admits) references to amendments to Motions.
129. References in the Procedure Rules to committees includes all committees, sub-committees, panels and boards constituted by the Council that exercise delegated powers, but excluding any committee, sub-committee, panel or board that operates solely in an advisory capacity.
130. Reference in the Procedure Rules to a day or days shall be taken to mean between the hours of 09:00 and 17:00 on any day that is not a Saturday, Sunday or public holiday.
131. References in these Procedure Rules to a period of days that is to elapse between the occurrence of two specified events shall be taken to mean clear working days calculated by excluding the day upon which both of the specified events occur.

### **Notice Requirements**

132. All Notices given by members under the Procedure Rules will be treated as having been given to the recipient by any of the following means:
  - (a) post properly addressed to the recipient at their usual business address
  - (b) leaving it properly addressed for the recipient at their usual business address
  - (c) email sent to an email address designated by the recipient for this purpose from an email account registered with the Council in the member's name
  - (d) submitting a form on the Council's website designated for this purpose



133. All notices given to members under the Procedure Rules shall be treated as having been given to the recipient by any of the following means:
- (a) post properly addressed to the recipient at their usual address (being their usual place of residence or any other address that the member has notified to the Director of Governance for these purposes)
  - (b) leaving it properly addressed for the recipient at their usual address or if requested (by notice given to the Director of Governance), either in addition to or substitution for the methods set out in paragraphs 133(a) and (b)
  - (c) email sent to an email account registered with the Council in the member's name from an email account registered to the Council
134. All notices given under the Procedure Rules must be given in writing, contain all of the information that is reasonably required in order to properly communicate the purpose and effect of the notice, and be signed (which shall include electronic signatures) by the person or persons required to give the notice in question.
135. If more than one signatory is required to give valid notice, any single notice given must bear all the signatures of all necessary signatories and be given in accordance with paragraph 133(a) or (b). Alternatively, each of the required signatories may give individual notices in accordance with paragraph 133(c), (d) or (e) above.
136. Notices shall be deemed to have been given:
- (a) in the case of 133(a) or 134(a), on the day upon which delivery would ordinarily occur in the normal course of the method of post chosen (provided proof of posting is available)
  - (b) in the case of 133(b) or 134(b), on the day upon which the notice is left
  - (c) in the case of 133(c) to (d), on the day upon which receipt is acknowledged otherwise than by any automated process
  - (d) in the case of 134(c), on the day upon which notice is sent

### **Example Calculation of Time in Respect of Notice Periods**

137. The following example is provided to demonstrate the effect of paragraphs 133 and 134. In the following example, it is assumed that none of the weekdays referred to is a public holiday.
138. If a notice is required to be given five days before a meeting, then giving the notice and the meeting are the two specified events for the purposes of paragraph 133.
139. Assuming the meeting is to be held on a Monday, then the latest a notice may be given is on the first of the two preceding Fridays, between 09:00 and 17:00 hours.

140. If so given, the Friday upon which the notice is given ranks as the day upon which the first event occurs for the purposes of paragraph 133. The five week days in the ensuing week then rank as the required five clear days between giving the notice and day upon which the meeting is being held.

Fri	Sat	Sun	Mon	Tues	Weds	Thurs	Fri	Sat	Sun	Mon
Notice Given	Not counted	Not Counted	Clear Day 1	Clear Day 2	Clear Day 3	Clear Day 4	Clear Day 5	Not Counted	Not Counted	Meeting