

Mae'r ddogfen hon ar gael yn Gymraeg hefyd



CONTENTS

SECTION 4

- 4. [Full Council](#)
 - 4.1 Introduction
 - 4.2 The Policy Framework
 - 4.3 The Conwy and Denbighshire Local Wellbeing Plan
 - 4.4 The Budget
 - 4.5 Housing Land Transfer
 - 4.6 Functions of the Full Council
 - 4.7 Membership
 - 4.8 Council Meetings
 - 4.9 Rules of Procedure and Debate
 - 4.10 Council Procedure Rules - Annual Meeting of the Council
 - 4.11 Ordinary Meetings
 - 4.12 Extraordinary Meetings
 - 4.13 Time, Place and Duration of Meetings
 - 4.14 Notice of and Summons to Meetings
 - 4.15 Chair of Meeting
 - 4.16 Quorum
 - 4.17 Remote Attendance
 - 4.18 Questions by Members
 - 4.19 Motions on Notice
 - 4.20 Motions without Notice
 - 4.21 Rules of Debate
 - 4.22 Previous Decisions and Motions
 - 4.23 Voting
 - 4.24 Minutes
 - 4.25 Record of Attendance
 - 4.26 Exclusion of Public
 - 4.27 Members' Conduct
 - 4.28 Disturbance by Public
 - 4.29 Filming and Use of Social Media During Meetings
 - 4.30 Electronic Broadcasts of Meetings
 - 4.31 Suspension and Amendment of Council Procedure Rules
 - 4.32 Application to Committees and Sub-Committees
 - 4.33 Replacement of Committee Members
 - 4.34 Welsh Language
 - 4.35 Urgent Matters

SECTION 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 or named Officers.

4.2 The Policy Framework

The Policy Framework means the following plans and strategies:

Corporate Parenting Plan, Conwy and Denbighshire Wellbeing Plan, Safer North Wales Strategy, Health and Well-being Strategy, Regional Transport Plans, Local Development Plan, Welsh Language Scheme, Youth Justice Plan, Corporate Plan, Local Housing Strategy, Placement Commissioning Strategy, Rights of Way Improvement Plan and Statement of Licensing Policy.

4.3 Conwy and Denbighshire Local Wellbeing Plan

This document outlines the Conwy and Denbighshire Public Services Board's Well-being Plan under the Well-being of Future Generations (Wales) Act 2015, which seeks to make Conwy and Denbighshire a more equal place with less deprivation.

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 Council will decide the 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:

- 2.6.1 adopting and changing the Constitution (apart from those changes that are delegated to the Monitoring Officer under paragraph 2.6);
- 2.6.2 approving or adopting the, Policy Framework, the budget and any application to Welsh Ministers in respect of any Housing Land Transfer.

- 2.6.3 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 Cabinet 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;
- 2.6.4 appointing and removing the Leader;
- 2.6.5 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;
- 2.6.6 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;
- 2.6.7 granting freedom/conferring the title of honorary Alderman of the County Borough)
- 2.6.8 making or confirming the appointment of the Chief Executive and other Chief Officers;
- 2.6.9 making, amending, revoking re-enacting or adopting bylaws and promoting or opposing the making of local legislation or Personal Bills;
- 2.6.10 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
- 2.6.11 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 Chief Executive, determining the level (and any change in the level) of remuneration to the paid to a Chief Officer and approving the pay policy statement;
- 2.6.12 appointing representatives to outside bodies unless the appointment has been delegated by the Council.
- 2.6.13 approving, reviewing and amending the Council's Petition Scheme;
- 2.6.14 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;
- 2.6.15 preparing an annual report on the extent to which the Council has met its performance requirements;
- 2.6.16 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 ;

- 2.6.17 considering Chief Executive reports prepared pursuant to section 54(2)(b) of the Local Government and Elections (Wales) Act 2021, within 3 months of them being made;
- 2.6.18 considering annual reports received from the Standards Committee, within 3 months of them being made ; and
- 2.6.19 keeping under review the extent to which:
 - a) it is exercising its functions effectively;
 - b) using its resources economically, efficiently and effectively; and
 - c) its governance arrangements are effective for securing the matters set out in a) and b) above.
- 2.6.20 adopting a Members Allowance Scheme
- 2.6.21 to receive and consider Reports from the Public Services Ombudsman for Wales issued under Section 16 of the Public Services Ombudsman (Wales) Act 2005 and to determine what action to take in relation to any Recommendations contained within such Report.
- 2.6.22 all matters which by law must be reserved to the Council
- 2.6.23 formulating a plan, scheme or strategy for the control of the Authority's borrowing or capital expenditure;
- 2.6.24 changing the name of the Council.

4.7 Membership

4.7.1 All Members of the Council shall be Members of Full Council.

4.7.2 Chairing the Council

- a) The Councillor elected annually by the Council as its chair will be called the "Chair" and may be elected for a second or subsequent term of office.
- b) The Chair will cease to be Chair 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 Chair after an election until their successor has been appointed.

4.7.3 Role and Function of the Chair

The Chair of the Council and in his/her absence, the Vice Chair will have the following roles and functions:

a) Ceremonial Role

The Chair of the Council:

- (i) is the civic leader of Conwy County Borough Council;
- (ii) promotes the interests and reputation of the Council and Conwy County Borough Council as a whole and acts as an ambassador for both; and

- (iii) undertakes civic, community and ceremonial activities and fosters community identity and pride.

b) **Responsibilities of the Chair**

- (i) to uphold and promote the purpose of the Constitution, and to interpret the Constitution when necessary;
- (ii) to preside over meetings of the 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;
- (iii) to ensure that the 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 on the Cabinet are able to hold the Cabinet and Committee Chairs to account;
- (iv) to promote public involvement in the Council's activities;
- (v) to be the conscience of the Council; and
- (vi) to attend such civic and ceremonial functions as the Council and he/she determines appropriate;

4.8 Council Meetings

There are three types of Council meeting:

4.8.1 the annual meeting;

4.8.2 ordinary meetings; and

4.8.3 extraordinary meetings

4.9 Rules of Procedure and Debate

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

4.10 Council Procedure Rules - Annual Meeting of the Council

4.10.1 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 in March, April or May. The annual meeting will:

- a) elect a person to preside if the Chair and Vice Chair of the Council is not present;
- b) elect the Chair of the Council;
- c) elect the Vice Chair of the Council;
- d) approve the minutes of the last meeting;
- e) receive any announcements from the Chair and/or the Chief Executive.

- f) elect the Leader of the Council, except where the Leader was appointed for a period of five years at the initial annual meeting of the Council.
- g) the Leader to inform Council of the number of Members to be appointed to the Cabinet.
- h) 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 Council nor are Cabinet Functions (as set out in Section 14 of this Constitution);
- i) receive from the Leader the scheme of delegations for information only (as set out in Section 14 of this Constitution);
- j) approve a programme of ordinary meetings of the Council for the year; and
- k) consider any business set out in the notice convening the meeting.

4.10.2 Selection of Councillors on Committees and Outside Bodies

At the annual meeting, the Council meeting will:

- a) decide which committees and sub-committees to establish for the municipal year;
- b) decide the size and terms of reference for those committees;
- c) decide the allocation of seats to political groups in accordance with the political balance rules
- d) make appointments to outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet.
- e) Appoint all members of the Democratic Services Committee, including the Chair of the Committee.
- f) Appoint the members of the Governance and Audit Committee.
- g) Appoint three members to the Standards Committee (who should come from three separate political groups).

4.11 Ordinary Meetings

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

- 4.11.1 elect a person to preside if the Chair and Vice Chair are not present;
- 4.11.2 approve the minutes of the last meeting;
- 4.11.3 receive any declarations of interest from Members;
- 4.11.4 receive any announcements from the Chair; the Leader, members of the Cabinet and Chief Executive;

- 4.11.5 receive a report from the Leader and receive questions and answers on the report;
- 4.11.6 receive a report from the Cabinet and receive questions and answers on the report;
- 4.11.7 receive reports from the Council's committees and receive questions and answers on those reports;
- 4.11.8 receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- 4.11.9 consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's Budget and Policy Framework and reports of the Overview and Scrutiny Committee
- 4.11.10 consider motions;
- 4.11.11 deal with questions from Members in accordance with Rule 4.18
- 4.11.12 receive the minutes of the Standards Committee and the Democratic Services Committee.

4.12 Extraordinary Meetings

4.12.1 Calling Extraordinary Meetings

The Proper Officer may call Council meetings in addition to ordinary meetings. Those listed below may request the Proper Officer to call additional Council meetings:

- a) the Council by resolution;
- b) the Chair of the Council;
- c) the Cabinet by resolution;
- d) the Chief Executive; and
- e) any five Members of the Council if they have signed a requisition presented to the Chair of the Council and he/she has refused to call a meeting or has failed to call a meeting within five working days of the presentation of the requisition.

4.12.2 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 previous minutes or reports from committees etc, except that the Chair may at his/her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

4.13 Time, Place and Duration of Meetings

4.13.1 Time and Place of Meetings

- a) The time and place of meetings will be determined by the Chief Executive and notified in the summons.

- b) 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 Chief Executive 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. At least 3 clear days before a meeting, the Chief Executive will send a summons signed by him/her to every Member of the Council. The summons will give the date, time and place of each meeting and, where meetings are conducted in accordance with the Council's arrangements for multi-locations meetings, details of how to access the meeting by remote means. The summons will also and specify the business to be transacted, and will be accompanied by such reports as are available.

4.15 Chair of Meeting

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

4.15.2 At a meeting of the Council, the Chair, if present, shall preside

4.15.3 If the Chair is absent from a meeting of the Council, then the Vice-Chair of the Council, if present, shall preside. If the Chair and Vice-Chair of the Council are absent from a meeting of the Council then another member of the Council chosen by the members of the Council present shall preside.

4.15.4 If it is necessary to choose a member of the Council to preside in the absence of the Chair and Vice-Chair, the Proper Officer shall call on a member of the Council to move that a member of the Council to be named by that member shall take the chair.

4.15.5 If discussion arises on that motion, the Proper Officer shall exercise and maintain order at the meeting.

4.15.6 The motion, and any amendments, shall be put to the meeting in accordance with rule 4.23.7 (voting on appointments).

4.16 Quorum

The quorum of a meeting will be one quarter of the whole number of Members. During any meeting if the Chair counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

4.17 Remote Attendance

4.17.1 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.

4.17.2 For the purposes of section 4.17.1, 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 On Reports of the Cabinet or Committees

At the discretion of the Chair, a Member of the Council may ask the Leader or the Chair of a Committee any question without notice directly arising from an item of the report of the Cabinet or a Committee, when that item is being received or is under consideration by the Council

4.18.2 Questions on Notice at Full Council

Subject to Rule 4.18.4, a Member of the Council may ask:

- a) the Chair;
- b) a Member of the Cabinet;
- c) the chair of any committee or sub-committee;

a question on any matter in relation to which the Council has powers or duties or which affects the Conwy County Borough Council.

4.18.3 Questions on Notice at Committees and Sub-Committees

Subject to Rule 4.18.4, a Member of a committee or sub-committee may ask the chair of it a question on any matter in relation to which the Council has powers or duties or which affects the County Borough and which falls within the terms of reference of that committee or sub-committee.

4.18.4 Notice of Questions

A Member may ask a question under Rule 4.18.2 or 4.18.3 if either:

- a) they have given at least 5 working days’ notice in writing of the question to the ; or
- b) the question relates to urgent matters, they have the consent of the Chair or Member to whom the question is to be put and the content of the question is given to the Monitoring Officer by 9:30 am on the day of the meeting.

4.18.5 Maximum Number of Questions

A Member may ask only one question under Rule 4.18.2 or 4.18.3 except with the consent of the Chair of the Council, committee or sub-committee.

4.18.6 Order of Questions

Motions for which notice has been given will be listed upon the agenda in the order in which notice was received, unless the member giving

notice states, in writing that they propose to move it to a later meeting or withdraw it.

4.18.7 Response

Every question shall be put and answered without discussion, but the person to whom it is asked may decline to answer

An answer may take the form of:

- a) a direct oral answer at the meeting;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated within 15 working days to the questioner.

4.18.8 Supplementary Question

A Member asking a question under Rule 4.18.2 or 4.18.3 may ask one supplementary question without notice of the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

4.18.9 Length of Speeches

A Member asking a question under Rule 4.18.2 or 4.18.3 and a Member answering such a question may speak for no longer than 5 minutes unless the Chair consents to a longer period.

4.18.10 Time Allowed for Questions at Council Meetings

- a) The time allowed for consideration of questions submitted under Rule 4.18.2 shall not, without the consent of the Council, exceed 15 minutes.
- b) At the conclusion of the answer to the question under consideration at the expiry of 15 minutes (or such longer period to which the Council has consented) from the time when the first questioner started to speak, the Chair shall move to the next item of business.
- c) Any remaining questions shall be responded to in writing before the next ordinary meeting of the Council.

4.19 Motions on Notice

4.19.1 Notice

Except for motions which can be moved without notice under Rule 4.20 and in cases of urgency, written notice of every motion, must be delivered to the Monitoring Officer no later than 17:00 hrs on the 10th working day before the Council meeting at which it is to be considered. Motions received will be kept 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 in which notice was received, unless the member giving notice states, in writing that they propose to move it to a later meeting or withdraw it.

4.19.3 Motions not moved:

If a motion thus set out in the summons be not moved either by a member who gave notice or by some other member of his/her behalf it shall, unless postponed by consent of the council, be treated as withdrawn and shall not be moved without fresh notice.

4.19.4 Automatic referral to Cabinet or committee

If the subject matter of any motion of which notice has been duly given comes within the terms of reference of the Cabinet or any committee or committees it shall, upon being moved and seconded, stand referred without discussion to the Cabinet or such committee or committees as the Council may determine, for consideration or determination as appropriate. Provided that the Chair may, if he considers it convenient and conducive to the despatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

4.19.5 Scope

Motions must be about matters for which the Council has a responsibility or which affect the wellbeing of the administrative area of the Council.

4.19.6 Motion to Remove the Leader

- a) 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 20% of the total number of Councillors on the Council and which includes Councillors from at least two political groups. See Paragraph 6.3.2
- b) In order for such a motion to be carried, it must have the support of the majority of those Members voting and attending the meeting at the time the question is put.
- c) A motion to remove the Leader cannot be moved more than once in any rolling 12 month period.

4.19.7 Time Allowed for Motions

The time allowed for consideration of motions submitted under this Rule shall not, without the consent of the Council, exceed 5 minutes. At the conclusion of the speech being delivered at the expiry of 5 minutes (or such longer period to which the Council has consented) from the commencement of the Council's consideration of the first such motion, the Chair shall put to the vote, without further discussion, all the questions necessary to dispose of the motion then under debate provided that:

- a) if the speech to be concluded is a speech proposing a motion, the Chair shall allow the motion to be formally seconded (without comment);
- b) if the speech to be concluded is a speech moving an amendment, the Chair shall allow the amendment to be formally seconded (without comment) and the mover of the motion to exercise his right of reply; and
- c) otherwise, the Chair shall allow the mover of the motion to exercise his right of reply.

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;
- 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 committee or Member arising from an item on the summons for the meeting;
- 4.20.6 to receive reports or adoption of recommendations of committees or Officers and any resolutions following 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 4.27.2 or to exclude them from the meeting under Rule 4.27.3;
- 4.20.16 to give the consent of the Council where its consent is required by this Constitution;

4.21 Rules of Debate

4.21.1 No Speeches until Motion Seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

4.21.2 Right to Require Motion in Writing

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

4.21.3 Secunder's Speech

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

4.21.4 Content and Length of Speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed 5 minutes without the consent of the Chair.

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:

- a) to speak once on an amendment moved by another Member;
- b) to move a further amendment if the motion has been amended since he/she last spoke;
- c) if his/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/she spoke was carried);
- d) in exercise of a right of reply;
- e) on a point of order; and
- f) by way of personal explanation.

4.21.6 Amendments to Motions

- a) An amendment to a motion must be relevant to the motion and will either be:
 - i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - ii) to leave out words;
 - iii) to leave out words and insert or add others; or
 - iv) to insert or add words

as long as the effect of 4.21.6 (a)(ii) to 4.21.6 (a)(iv) is not to negate the motion.

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

However, the Chair may permit two or more amendments to be discussed (but not voted on) together if he/she considers that would facilitate the proper conduct of the Council's business.

- c) If an amendment is not carried, other amendments to the original motion may be moved.
- d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.

- e) After an amendment has been carried, the Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

4.21.7 Alteration of Motion

- a) A Member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- b) A Member may alter a motion which he has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- c) 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 has moved with the consent of both the meeting and the seconder. 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.

4.21.9 Right of Reply

- a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- c) The mover of the amendment has no right of reply to the debate on his amendment.

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:

- a) to withdraw a motion;
- b) to amend a motion;
- c) to proceed to the next business;
- d) that the question be now put;
- e) to adjourn a debate;
- f) to adjourn a meeting;
- g) to exclude the public and press in accordance with the Access to Information Procedure Rules; and
- h) to not hear further a Member named under Rule 4.27.2 or to exclude them from the meeting under Rule 4.27.3.

4.21.11 Closure Motions

- a) A Member may move, without comment, the following motions at the end of a speech of another Member;
 - i) to proceed to the next business;
 - ii) to act that the question be now put;
 - iii) to adjourn a debate; or
 - iv) to adjourn a meeting.
- b) If a motion to proceed to next business is seconded and the Chair thinks the item has been sufficiently discussed, he/she will give the mover of the original motion a right of reply for not more than 3 minutes and then put the procedural motion to the vote. If that motion is carried, the original motion shall lapse.
- c) If a motion that the question be now put is seconded and the Chair thinks the item has been sufficiently discussed, he will put the procedural motion to the vote. If it is passed he will give the mover of the original motion a right of reply for not more than 3 minutes before putting his/her motion to the vote.
- d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/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 Chair to rule on an alleged irregularity in the procedure of the meeting. A Member may raise a point of order at any time. The Chair will hear them 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/she considers it has been broken. The ruling of the Chair on the matter will be final.

4.21.13 Personal Explanation

A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the Chair 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

Except following a report by an Officer of the Council, the Cabinet or a Committee, any motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 20 Members.

4.22.2 Motion Similar to One Previously Rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 20 Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

4.22.3 Motion affecting persons employed by the Council

If any issue arises at a meeting of the Council, the Cabinet, a committee or subcommittee as to the appointment, promotion, dismissal, salary, superannuation, conduct or condition of service of any person employed by the Council, such matter shall not be the subject of discussion until the Council has decided whether to exclude the public under the terms of Part 1 of Schedule 12A of the Local Government Act 1972.

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 Chair's Casting Vote

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

4.23.3 Method of Voting

Unless a recorded vote is demanded under Rule 4.23.5 the Chair will take the vote by show of hands, or by use of the Council's electronic voting system if any, or if there is no dissent, by the affirmation of the meeting.

4.23.4 Ballot

The vote will take place by ballot if the majority of members present at the meeting and before the vote is taken, demand it. The Chair will announce the numerical result of the ballot immediately the result is known.

4.23.5 Recorded Vote

If at least one quarter of the voting members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a ballot will override a demand for a recorded vote. In the case of an electronic recorded vote, the results will be displayed.

4.23.6 Right to Require Individual Vote to be Recorded

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

4.23.7 Voting on Appointments

4.23.7.1 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.

4.23.7.2 Where a vote is required on a motion to appoint a person to a paid position to be filled by the Council, voting shall be by ballot where there is more than one candidate and where there are two or more candidates for that appointment, their names shall be put to the meeting in alphabetical order of surname. Those entitled to vote shall each vote for only one person. If there is not a majority of those voting in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person. In multiple elections votes cast for fewer candidates than the number of vacancies shall be invalid.

4.24 Minutes

4.24.1 Signing the Minutes

The Chair will approve the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy and any question of their accuracy should be raised by motion.

4.24.2 No Requirement to Sign Minutes of Previous Meeting at Extraordinary Meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

4.24.3 Form of Minutes

Minutes will contain all motions and amendments in the form and order the Chair put them.

4.25 Record of Attendance

4.25.1 All Members physically present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance. For those attending remotely their presence will be recorded by Officers.

4.25.2 Members should formally declare if they are leaving the meeting permanently before it ends.

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 Chair Standing

When the Chair stands during a debate, any Member speaking at the time must stop and sit down. The meeting must be silent

4.27.2 Member not to be Heard Further

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

4.27.3 Member to Leave the Meeting

If the Member continues to behave improperly after such a motion is carried, the Chair 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.

4.27.4 General Disturbance

If there is a general disturbance making orderly business impossible, the Chair may adjourn the meeting for as long as he/she thinks necessary.

4.28 Disturbance by Public

4.28.1 Removal of Member of the Public

If a member of the public interrupts proceedings, the Chair will warn the person concerned. If they continue to interrupt, the Chair 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.

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 Chair may call for that part to be cleared.

4.28.3 Clearance of Online Meeting Platform

If there is a general disturbance on the online meeting platform, the Chair may call for the online meeting platform to be paused, muted or closed.

4.28.4 Additional Powers

The powers conferred by this rule are in addition to any other powers which the person presiding may lawfully exercise.

4.29 Audio/Video recording or transmission/ Use of Social Media

No person other than the Council shall be entitled to make a video or audio recording or transmission of a meeting of the Council or its Committees.

4.30 Electronic Broadcasts of Meetings

Ordinary meetings of the Council will be broadcast live electrically on the Council's website so that members of the public not in attendance at the meeting can see and hear the proceedings. Copies of the meeting will be available for 6 months after the meeting.

4.31 Suspension and Amendment of Council Procedure Rules

4.31.1 Suspension

All of these Council Rules of Procedure except Rule 4.16, 4.23.6, 4.23.7 and 4.22 and principles of decision making in Part 14, may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting.

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 apply to meetings of the Cabinet. Only Rules 4.13 to 4.18, 4.20 to 4.35 (but not Rule 4.27.1) apply to meetings of committees and sub-committees.

4.33 Replacement Of Committee Members

Under the political balance requirements each political group are allocated a number of seats on each committee to which the political balance rules apply. In the event that Group Leaders wish to replace a member of their party on any given committee they will provide written notice to the Committees Section five working days in advance of the said meeting.

4.34 Welsh Language

4.34.1 In all proceedings of the Council the Welsh language and the English language shall have the same status and validity.

4.34.2 All persons shall have the right when addressing the Council to speak in either Welsh or English.

4.35 Urgent Matters

4.35.1 The appropriate form should be completed and presented to the person presiding at the meeting, in order for any urgent matter to be considered.

4.35.2 If the person presiding at a meeting of a committee or sub-committee, as appropriate, permits the discussion of an item of business which had not been included on the agenda for the meeting, because of its urgent nature, he should note it at the start of the meeting and it should be taken according to the direction of the person presiding.