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## **1. Annual Meeting of Council**

### **1.1 Mayoral Installation**

At the Annual Meeting of the Council (Mayoral Installation) each May members will:

- (i) Elect a person to preside at the meeting if the Mayor is not present
- (ii) Elect the Mayor
- (iii) Elect the Deputy Mayor
- (iv) Receive any announcements from the Mayor/and or Chief Executive

### **1.2 First Business Meeting of the Municipal Year**

At the First Business Meeting of the Municipal Year after the Mayoral Installation members will:

- (i) Approve both the minutes of the Annual Meeting (Mayoral Installation) and the last ordinary meeting of the Council
- (ii) When the meeting is taking place in the year of whole Council elections, elect the Leader of the Council ("the Leader") for a four year term of office
- (iii) Receive the names of the Deputy Leader and members of Cabinet appointed by the Leader ( see Cabinet Procedure Rules)
- (iv) Appoint at least one Scrutiny Committee
- (v) Decide which other committees to establish and agree their size and terms of reference (see rule 25.1)
- (vi) Agree the scheme of delegation (excluding any executive delegations which the Leader has responsibility for)
- (vii) Determine the allocation of seats to political groups in accordance with the political balance rules under the Local Government and Housing Act 1989
- (viii) Appoint the Chairman and Vice Chairman of all Committees (excluding the Appeals and Shared Services Joint Committee)

- (ix) Receive nominations and appoint members to serve on each Committee and Outside Body (except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet)
- (x) Receive nominations and ratify the appointment of Chairman and Vice Chairman of the My Neighbourhood areas (see Neighbourhood Procedure Rules)
- (xi) Approve the timetable of ordinary meetings of the Council for the following year
- (xii) Consider any other business set out in the notice convening the meeting

## **2. Ordinary Council Meetings**

### **2.1 Ordinary meetings of the Council will:**

- (i) Elect a person to preside if the Mayor and Deputy Mayor are both absent (Rule 6)
- (ii) Receive any declarations of interest from members (Rule 21)
- (iii) Approve as a correct record the minutes of the last meeting (Rule 8)
- (iv) Receive any announcements from the Mayor
- (v) Deal with any business adjourned from the last Council meeting (Rule 7)
- (vi) Note the names of any changes to the Deputy Leader and members of the Cabinet appointed by the Leader since the last ordinary Council meeting (see Cabinet Procedure Rules)
- (vii) Receive the names and ratify the appointment to any vacancies arising in the position of Chairman or Vice Chairman of My Neighbourhood Forums (see My Neighbourhood Procedure Rules)
- (viii) Appoint to any vacancies arising in the position of Chairman or Vice Chairman of any Committee (Rule 26)
- (ix) Receive the minutes of Cabinet and give members the opportunity to ask questions.
- (x) Receive the minutes of Scrutiny, Governance and Standards Committees and give members the opportunity to ask questions
- (xi) Receive questions or hear any address from members of the public (see Rule 15)
- (xii) Enable members to ask any relevant questions in accordance with Rule 13 of:

- The Leader or Deputy Leader of the Council
- A member of the Cabinet
- The Chairman of any committee
- The Chairman of any My Neighbourhood area
- A member appointed by the Council to any joint authority or joint board
- A member appointed by or on behalf of the Council as a member or Director of any Company
- Any member Champion

(xiii) Consider any other business specified in the summons to the meeting

(xiv) Consider any Notices of Motion in accordance with Rule 10

(xv) At Budget Council approve the Council's revenue and capital budget & set the level of Council tax

### **3. Special Meetings or Extraordinary Meetings**

3.1 A special or extraordinary meeting of the Council may be requested by:

- (i) The Council by resolution
- (ii) The Mayor
- (iii) The Chief Executive (Head of Paid Service)
- (iv) The Monitoring Officer
- (v) The Section 151 Officer
- (vi) Any 5 members notifying the Mayor and Chief Executive in writing

3.2 The meeting may only consider the specific items set out in the summons.

### **4. Time and Place of Meetings**

4.1 Meetings will be held at the Civic Centre Leyland at 6pm or such other time and venue as the Council may determine.

### **5 Notice of and Summons to Meetings**

5.1 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.

5.2 At least 5 clear **working** days before a meeting the Chief Executive will send a summons, signed by him/her, to every member of the Council. The summons will be delivered in writing, electronically or sent by post to each member at his/her usual place of residence (unless a request has been made in writing that an alternative address is used).

5.3 The summons must state the business to be transacted at the meeting and be accompanied by all reports which are available.

## **6. Chairman for the Meeting**

6.1 In the Mayor's absence, any power or duty of the Mayor in relation to the conduct of a meeting may be exercised by Deputy Mayor or, if both are absent, by the person elected to preside at the meeting.

## **7. Quorum**

7.1 The minimum number of members who must be present for the meeting to proceed is one third of the total membership.

7.2 During any meeting if the minimum number is not present then the meeting will adjourn for 15 minutes. If, after 15 minutes, the minimum number of members are still not present the meeting will immediately adjourn.

7.3 The remaining business will be considered at a time and date to fixed by the Mayor. If no new date is fixed the remaining business will be considered at the next ordinary or extraordinary meeting.

## **8. Council Minutes and Record of Attendance**

8.1 The Mayor will move that the minutes of the last meeting be approved as a correct record.

8.2 Only matters relating to the accuracy of the minutes may be discussed and must be raised by way of motion proposed, seconded and voted upon.

8.3 The Mayor will sign the minutes once any issues raised have been disposed of.

8.4 If the next meeting is a Special or Extraordinary meeting there is no requirement for the minutes to be agreed until the next Ordinary meeting of the Council.

8.5 The names of all those members present at a meeting will be recorded in the minutes.

## **9. Minutes of the Cabinet, Scrutiny, Governance and Standards Committees to the Council**

9.1 Minutes of the meetings of the Cabinet, Scrutiny Governance and Standards Committees will be presented to the Council meeting.

9.2 A member may, in the case of the Cabinet, put to the Leader of the Council and, in the case of the Scrutiny, Governance and Standards Committees, to the relevant chairman, any question concerning the content of the minutes.

9.3 A member asking a question may address the Council for a maximum of three minutes, except that this time limit may be extended at the discretion of the Mayor.

9.4 Having received a response, the member ask one supplementary question, which must be directly related to the original question. A member asking a supplementary question shall address the Council for not more than two minutes, except that this time limit may be extended at the discretion of the Mayor.

## **10. Notices of Motion**

10.1 Notices of Motion must be in writing and signed by both the member submitting the Notice of Motion and at least one other member as seconder.

10.2 All Notices of Motion must be received by the Chief Executive at least 7 clear **working** days before the date of the meeting (under the existing practice of Council Meetings on a Wednesday at 6pm all Notices of Motion must be received by the Chief Executive no later than 4 45pm on the Friday 7 clear **working** days before the meeting )

10.3 Notices of Motion will be listed on the agenda in the order in which they are received, unless the member giving the Notice states in writing they propose to move it at a later meeting or withdraw it

10. 4 Notices of Motion may only address matters for which the Council has a responsibility or which affect the district of South Ribble, it's area or residents.

10.5 The Mayor, with the advice of the Chief Executive, may exclude from the agenda any Notice of Motion which he/she considers to be out of order for any reason, including Notices of Motion considered to be vexatious, abusive or otherwise inappropriate.

## **11. Removal of Leader**

11.1 The Council may remove the executive leader of the Council from that office if a motion, submitted in accordance with Rule 10, is passed by a simple majority of those members present at the meeting.

## **12. Motions without Notice**

12.1 The following motions and amendments may be moved without notice:

- (i) To appoint a Chair of the meeting
- (ii) In relation to the accuracy of the minutes
- (iii) To change the order of business in the agenda
- (iv) To refer back or to an appropriate body or individual a recommendation of the Cabinet or a committee
- (v) Any motion arising out of consideration of an item on the agenda but the motion must be relevant to that item and must not introduce any new subject
- (vi) To appoint a committee or member arising from an item on the summons for the meeting
- (vii) To receive reports or adopt recommendations of committees or officers and any resolutions following from them
- (viii) To withdraw a motion
- (ix) To extend the time limit for speeches (currently 5 minutes in accordance with Rule 14.4)
- (x) To amend a motion
- (xi) To proceed to the next business
- (xii) That the question be now put
- (xiii) To adjourn a debate
- (xiv) To adjourn a meeting



- (xvi) To suspend a particular Council Procedure Rule
- (xvii) To exclude the public and press in accordance with the Access to Information Procedure Rules
- (xviii) That a member named under rule 18 be not heard further or should leave the meeting
- (xix) To give the consent of the Council where its consent is required by the Constitution

### **13. Questions from Members**

13.1 A member of the Council may ask a question at a meeting of the Council of:

- (i) The Leader or Deputy Leader of the Council
- (ii) A member of the Cabinet
- (iii) The Chairman of any Committee
- (iv) The Chairman of any My Neighbourhood Forum
- (v) A member appointed by the Council to any joint authority or joint board
- (vi) A member appointed by or on behalf of the Council as a member or Director of any Company
- (vii) Any member Champion

#### **13.2 Questions on Notice**

Questions in writing must be received by the Chief Executive at least one clear day before the date of the meeting (under the existing practice of Council Meetings on a Wednesday at 6pm all Questions must be received by the Chief Executive no later than 5 pm on the Monday preceding the meeting).

A list of questions received will be circulated to those members present at the meeting.

#### **13.3 Questions without Notice**

Questions may also be asked at the meeting, without giving written notice in advance, but in those circumstances there will be no requirement for an immediate answer to be given.

#### **13.4 Scope**

All questions must be relevant to the responsibilities of the individual postholder and affect the district of South Ribble, it's area or residents.

There is no requirement to answer a question if the information requested is confidential within the categories of the Access to Information Procedure Rules

### **13.5 Time limits**

A member asking a question may, in doing so, address the Council for not more than 3 minutes for each question.

### **13.6 Supplementary Questions**

A member may ask one supplementary question which must be directly related to the original question.

The time limit on asking supplementary questions is at the discretion of the Mayor, but will normally be 2 minutes.

### **13.7 Response**

An answer may take the form of:

- (i) A direct verbal answer
- (ii) Where the information is published, by reference to the publication
- (iii) A written answer circulated after the meeting to the questioner and published to all members of the Council

### **13.8 Exemptions**

The Mayor, in consultation with the Chief Executive, has the discretion to refuse to accept questions which he/she considers to be out of order for any reason, including vexatious, abusive or otherwise inappropriate content.

## **14. Rules of Debate**

### **14.1 No speeches until Motion seconded**

A motion or amendment may not be discussed unless it has been proposed and seconded.

Unless notice of the motion has already been given (see rule 10 on Notices of Motions) the Mayor may require it to be written down and handed to him/her before it is discussed.

## **14.2 Seconders Speech**

When seconding a Motion or Amendment, a member may reserve his/her speech until later in the debate.

He/she will have the right to speak in the debate at the point he/she indicates.

## **14.3 Standing to Speak**

Unless the Mayor gives permission for the member to remain seated, when a member speaks at Council, he/she must stand and address the meeting through the Mayor.

If more than one member stands, the Mayor will ask one to speak and the others must sit. Other members must remain quiet and seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation. (See rule 14.13)

## **14.4 Content and length of speeches**

All speakers must address the issue under debate. No speech may exceed **5 minutes** without the consent of the Mayor.

## **14.5 When a Member may speak again**

A member who has spoken once on a motion may not speak again while it is being debated, 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 (under rule 14.10)
- (e) On a point of order or by way of personal explanation (under rule 14.13)

## **14.6 Amendments to Motions**

The mover of an amendment must provide a copy in writing to the Mayor and read aloud the wording to the meeting, before speaking to it.

Any Amendment to a motion must be relevant to the motion, and may 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;
- (d) To insert or add words.

as long as the effect of the amendment is not to negate the motion or introduce a new proposal.

#### **14.7 Number of Amendments**

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.

The Mayor may, however, permit 2 or more amendments to be discussed (but not voted upon) together if this would facilitate the proper conduct of the Council's business.

No member may move or second more than one amendment on any motion.

#### **14.8 Further Amendments**

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

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

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.

#### **14.9 Alteration or Withdrawal of Motion**

A member may alter or withdraw a motion or amendment which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

#### **14.10 Right of Reply on Motion and Amendments**

The relevant Cabinet Member has a right of reply on the motion immediately before the Proposer exercises his or her right of reply at the end of the debate.

The proposer 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.

If an amendment is moved then:

- (a) The mover of the amendment has the right of reply at the end of the debate on the amendment, immediately before any reply by the mover of the original motion.
- (b) The proposer of the original motion has the right of reply at the end of the debate on the amendment but may not speak otherwise on the amendment

#### **14.11 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 Rules
- (h) not to hear further a member named or to exclude them from the meeting under Rule 18

#### **14.12 Closure Motions**

A member may move, without comment, the following motions at the end of a speech of another member:

- (a) To adjourn the debate or the meeting;
- (b) To go to the next item of business
- (c) That the vote be taken or question be put

If the motion is seconded and the Mayor is of the view that the matter before the meeting has been sufficiently discussed:

- (i) In the case of a motion under (a) or (b) he/she will invite the mover of the original motion to reply and then put the closure motion to the vote.
- (ii) In the case of a motion under (c) he/she will put the closure motion to the vote.

#### **14.13 Point of Order or Personal Explanation**

The debate may be interrupted by a member rising to his or her feet either:

- (a) To seek the Mayor's interpretation of these rules or a statutory provision (a point of order). The member must state the rule or statutory provision and the way in which he/she considers it has been broken.
- (b) To give a short personal explanation of something he/she has already said (a point of personal explanation). 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 Mayor on the admissibility of a personal explanation or point of order will be final.

#### **14.14 Respect for Chair**

When the Mayor stands during a debate, any member speaking at the time must stop and sit down, and all others present at the meeting must then be silent.

### **15. Public Participation**

Members of the Public may ask a question, or make a statement to address the meeting, on any matter of Council business or on anything which affects the borough or residents, provided it is relevant to the Council's functions or duties.

#### **15.1 Questions by the Public**

Members of the public may either:

- (a) Give written notice of a question to the Chief Executive at least **one** clear day before the meeting at which the question is to be asked (i.e. if the meeting is on a Wednesday, by 5.00 pm on the Monday preceding the meeting). A list of the questions of which notice has been given will be circulated to members at the meeting.
- (b) Ask a question without giving written notice, but in those circumstances there will be no requirement for a full answer to be given immediately.

Members of the public will be invited to ask questions after all council members have been invited to ask questions on any particular agenda items.

Individual members of the public will be restricted to speaking for a total of five minutes during the whole meeting.

### **15.2 Statements to Address the Meeting by the Public**

Written notice of the subject matter of the statement to address the meeting must be given to the Chief Executive at least **six** clear working days before the meeting at which the question is to be asked (i.e. if the meeting is on a Wednesday, by 5.00 pm on the Monday of the week preceding the meeting) and this will be included on the agenda for the meeting of the Council.

However, Members of the public may address the meeting, without giving prior written notice, on any item of Council business included on the agenda for the meeting.

If the Mayor considers the matter to be urgent, he or she may to permit members of the public to address the meeting on a matter not included on the agenda for the meeting.

Individual statements to address the meeting will be limited to 3 minutes in total and the Mayor will have the discretion to determine the overall time allotted at the meeting where several members of the public wish to speak.

### **15.3 Responses and Debate**

The Mayor will determine whether a discussion on the matter will take place at the meeting and any response to the address or question may take the form of:-

- (a) A direct oral answer, or
- (b) Where the information is contained in a publication of the Council, a reference to that publication
- (c) Where any reply cannot conveniently be given orally, a written answer will be sent to the member(s) of the public addressing the Council or asking a question, and circulated to all members of the Council.

Following an address or question from a member of the public a member may respond on a point of personal response, explanation or on a matter of fact only.

### **15. 4 Exemptions**

The Mayor, in consultation with the Chief Executive, has the discretion to refuse to accept questions or statements to address the Council which he/she considers to be out of order for any reason, including vexatious, abusive or otherwise inappropriate content.

## **16. Voting and Recorded Votes**

### **16.1 Majority**

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

### **16.2 Mayor's Casting Vote**

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

### **16.3 Method of Voting**

Unless a recorded vote is requested, the Mayor will take the vote either by a show of hands or by such electronic means as provided for the purpose, or, if there is no dissent, by the affirmation of the Meeting.

### **16.4 Recorded Vote**

If any member makes a request for a recorded vote and is supported by 5 other members rising in their places, the individual names of those voting for or against the motion / amendment and of those abstaining from voting will be taken down in writing and entered into the minutes.

### **16.5 Recorded Votes for Budget Meetings**

A recorded vote must take place when setting the Council's budget and determining the level of council tax to be levied for each financial year. This rule will apply to both the substantive motion and any amendments.

(NB There is no necessity for any member to request a recorded vote in these circumstances as this is now a legal requirement for Budget Meetings).

### **16.6 Right to Require Individual Vote to be Recorded**

Any member may request immediately after the vote is taken, that their vote is recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

## **17. Voting on Appointments**

17.1 Where there are more than two persons nominated for any position to be filled by the Council, then unless one person has an overall majority of votes, the name of the person with the least number of votes will be excluded from the next round of voting. This process will be repeated, as necessary until a majority of votes is given in favour of one person



17.2 Where there is more than one vacancy to be filled and more nominations than vacancies, then each member will have as many votes as there are vacancies with only one vote cast for any one nominee. The successful nominees will be those with the greatest number of votes for the relevant vacancies.

17.3 Any equality of votes will be resolved by the casting vote of the Chair.

## **18. Member Conduct**

18.1 Members should follow the requirement of the Members' Code of Conduct to treat others with respect.

18.2 If a member persistently disregards the ruling of the Mayor by behaving improperly or offensively, or deliberately obstructs business, the Mayor or any member may move "That the member be not heard further". If seconded, the motion will be voted on without discussion.

18.3 If the member continues to behave improperly after such a motion is carried, the Mayor 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.

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

## **19. Disturbance by the Public**

19.1 If a member of the public interrupts or disrupts proceedings the Mayor will warn the person concerned.

19.2 If they continue the interruption the Mayor will order their removal from the meeting room.

19.3 If there is a general disturbance in any part of the room open to the public that Mayor may call for that part to be cleared and may adjourn the meeting for as long as he/she feels necessary.

## **20. Recording and Filming of Meetings**

20.1 Recording and filming of public meetings of the Council, Cabinet and Committees is allowed, unless this is undertaken in a disruptive manner.

20.2 Where a disruption of the business of the meeting occurs the Mayor, or Chair of the meeting, will have the right to exclude the individuals concerned from the meeting in accordance with rule 19.

## **21. Declaration of Interests and Withdrawal from Meetings**

21.1 Members should disclose interests as required by the Members Code of Conduct and in the case of a Disclosable Pecuniary Interest must withdraw from the meeting room, unless a dispensation has been granted by the Standards Committee.

21.2 If the interest is such that a member of the public could reasonably regard it as being so significant that it is likely to prejudice a member's judgment of the public interest (see Code of Conduct) then a member may make representations on the item but should leave the meeting whilst the item is being discussed.

## **22. Interpretation of Council Procedure Rules**

The ruling of the Mayor on the construction or application of these Procedure Rules shall not be challenged at any meeting of the Council but will not necessarily create a precedent for subsequent meetings.

## **23 Previous Decisions and Motions**

23.1 A motion or amendment to rescind a decision made at a meeting of the Council in the last 6 months may not be moved unless the Notice of Motion under rule 10 is signed by at least 5 members.

23.2 A motion or amendment in similar terms to one that has been rejected at a meeting of the Council in the last 6 months cannot be moved unless the Notice of Motion under rule 10 has been signed by at least 5 members.

23.3 Once the motion or amendment has been dealt with by the Council, a member may not propose a similar motion or amendment for a further 6 month period.

## **24 Suspension and Amendment of Council Procedure Rules**

24.1 All of these Procedure Rules, with the exception of rule 22 (Interpretation of Procedure Rules), rule 20 (Recording and Filming of meetings) and 16.5 (Recorded Votes for Budget Meetings), may be suspended for the duration of the meeting once a motion to that effect has been moved, seconded and carried.

24.2 Except where a proposal to amend the Constitution is made by a report from the Governance Committee any motion to amend, vary or revoke these Procedure rules will, once proposed and seconded, stand adjourned without discussion to the next Ordinary Meeting of the Council to await a report from the Monitoring Officer or the Governance Committee.

## **Application to Cabinet, Committees and Sub Committees**

### **25 Appointment of Committees and Application of Procedure Rules**

25.1 The Council may appoint such Committees as it is either required to appoint by statute, or considers necessary to carry out the work of the Council, and may at any time dissolve a committee or alter its membership. (see also Rule 1.2)

25.2 These Procedure Rules will apply, with any necessary modifications, to Cabinet, Committees and sub committees meetings unless there is a specific indication to the contrary.

(NB see also the Cabinet Procedure Rules / Scrutiny Procedure Rules/ My Neighbourhood Procedure Rules)

### **26 Appointment of Chairman and Vice Chairman of Committees**

26.1 The Chairman and Vice Chairman of all Standing Committees (with the exception of the Appeals and Shared Service Committees) will be appointed at the First Business Meeting of the Municipal Year (see rule 1.2 )

26.2 In the absence from the meeting of both the Chairman and Vice Chairman a chairman for that meeting may be appointed by the Committee as appropriate.

26.3 In the event of the position of Chairman or Vice Chairman becoming vacant within the municipal year, or if the Council considers it appropriate to change any position, notice may be given in the Summons for any Ordinary Council Meeting ( see rule 2) and the matter dealt with by full Council.

26.4 My Neighbourhood Forum Chairman are appointed in accordance with the My Neighbourhood Procedure Rules (see rule 1.2 and 2)

### **27 Special Meetings of Cabinet or Committees**

27.1 The Leader may call a special meeting of the Cabinet (see Cabinet Procedure Rules) and any Chairman a special meeting of his/her committee at any time.

27.2 A special meeting of the Cabinet and any Committee may also be called on written request to the Chief Executive by at least one third of the membership. The subject matter to be discussed must be within the terms of reference of the relevant body and the meeting may only consider the specific item set out in the summons. 5 clear days' notice must be given of any special meeting in accordance with the Access to Information Procedure Rules.

## **28. Sub committees**

28.1 Every Committee appointed by the Council may appoint sub- committees for the purpose specified by the Committee.

28.2 The Chairman and Vice Chairman of every sub -committee will be appointed by the parent Committee itself.

## **29 Quorum for Cabinet and Committees and Sub Committees**

29.1 The minimum number of members who must be present for any Cabinet or Committee meeting to proceed is one third of the total membership or 3 members (whichever is the greater). The only exception would be if statute or the Council itself made an alternative provision.

29.2 The minimum number for a sub- committee is one quarter of the total membership or 3 members (whichever is the greater).

29.3 During any meeting if the minimum number is not present then the meeting will adjourn for 15 minutes. If, after 15 minutes, the minimum number of members are still not present the meeting will immediately adjourn to a fixed date and time or the next ordinary meeting.

## **30. Declaration of Interests and Withdrawal from Meetings of Cabinet and Committees and Sub Committees**

30.1 Members should disclose interests as required by the Members Code of Conduct and in the case of a Disclosable Pecuniary Interest must withdraw from the meeting room, unless a dispensation has been granted by the Standards Committee.

30.2 If the interest is such that a member of the public could reasonably regard it as being so significant that it is likely to prejudice a member's judgment of the public interest (see Members Code of Conduct) then a member may make representations on the item but should leave the meeting whilst the item is being discussed.

## **31 Voting in Cabinet, Committees and Sub Committees**

31.1 The provisions of rule 16 in relation to Voting and Recorded Votes apply to meetings of Cabinet, Committees and sub - committees except that a recorded vote may be requested by one member who is supported by 2 other members (or the total number of member's present if less than 3) and the Chairman or Leader will have a casting vote in the event of an equality of votes.

## **32 Members Attendance and Participation at Meetings of Cabinet, Committees and Sub Committees**

32.1 All Councillors are normally entitled to attend meetings of the Cabinet, Committees and sub-committees and may speak and ask questions, make comments or statements on agenda items, but may not vote. (See rule 34 for speaking at Planning Committee)

32.1 Members will normally only be allowed to speak after Cabinet or Committee members have been given the opportunity to do so, but this is at the discretion of the Chairman. Questions, comments or statements which, in the opinion of the Chairman, are inappropriate may be disallowed. Matters relating to confidential issues may be considered after exclusion of the Press or Public under the Access to Information Procedure Rules.

32.3 There is an exception to this rule in the case Neighbourhood Forums and of staffing, disciplinary or quasi-judicial hearings including:

- (a) Standards Committee Hearings
- (b) Appointment and Employment Panel for Statutory Officers
- (c) Licensing Committee *Hearings*
- (d) Appeals Committee Hearings
- (e) Such other meetings of a similar nature as the Chief Executive, in consultation, with the Monitoring Officer shall determine on an individual basis

### **33. Participation by the Public at Meetings of Cabinet, Committees and Sub Committees**

33.1 Members of the Public may ask questions and make statements or comments during Cabinet, Scrutiny, and Governance meetings which are relevant to items on the agenda. Special rules apply to Planning Committee (see rule 34)

33.2 Members of the Public will normally only be allowed to speak after elected members have been given the opportunity to do so, but this is at the discretion of the Chairman. Questions, comments or statements which, in the opinion of the Chairman, are inappropriate may be disallowed.

33.3 Individual members of the public will be restricted to speaking for a total of five minutes during the whole meeting.

### **34. Participation by the Public and members of the Council at Planning Committee**

34.1 Whenever a planning application is dealt with by Planning Committee the procedure that will ordinarily be followed is that:-

- (i) Up to five members of the public who wish to speak against an application will be allowed to speak. Each will have up to four minutes in which to state their case.
- (ii) Up to five members of the public who wish to speak in favour of an application will then be allowed to speak. Again each will have up to four minutes in which to state their case.
- (iii) Borough councillors (not on Planning Committee) will then have the opportunity to make representations about the application. Each will have up to four minutes to state their case.
- (iv) The applicant/agent will then be invited to speak in support of the application. Ordinarily he/she will have up to four minutes to speak.
- (v) The application will be then be discussed by Committee. At this point members of the public, the applicant and other councillors not on Committee will not be able to speak further.
- (vi) Planning Committee will then take a vote on the matter.

34.2 The Chairman of Planning Committee has discretion to vary these rules when dealing with a particular application if he considers it appropriate. Whenever members of the public speak (whether in opposition to a proposal or in favour of it) they should avoid repeating the same points made by other speakers.

34.3 A varied procedure (to enable more detailed consideration) will be followed when dealing with master plans and outline planning applications relating to Major Sites for Development. This will not apply for subsequent reserved matters or minor applications relating to the Major Sites. Major Sites for Development are those sites defined in the adopted South Ribble Local Plan (2015) and are named as follows:

- C1 Pickering's Farm, Penwortham
- C2 Moss Side Test Track, Leyland
- C3 Land Between Heatherleigh and Moss Lane, Farington Moss
- C4 Cuerden Strategic Site

34.4 The varied procedure for dealing with Major Sites for Development shall be:

- (i) Opportunity for objectors to speak to Planning Committee as follows:
  - Individuals may speak for up to 4 minutes
  - As many individuals will be allowed as possible to speak within a total deadline set at 30 minutes - this may be extended at Chairman's discretion
- (ii) Opportunity for those in favour (other than the applicant) to speak to Planning Committee as follows:
  - Individuals may speak for up to 4 minutes
  - As many individuals will be allowed as possible to speak within a total deadline set at 30 minutes - this may be extended at Chairman's discretion

- (iii) Borough councillors have up to 4 minutes each
- (iv) The applicant is allowed up to 15 minutes to speak
- (v) After this point the application will be brought into Planning Committee with no further questions or answers unless the Chairman allows.

34.5 No paperwork, plans or photographs will be allowed to be circulated by the applicant/agent or member of the public at any meeting of the Planning Committee.

### **35 Delegation of Urgent Decisions between Meetings of the Cabinet or a Committee (Nb ORIGINAL – to be reviewed further)**

Where a need for urgent action arises between meetings of the Cabinet or committees, but it is not considered to be sufficient justification for calling a special meeting, such decisions may be taken by the Chief Executive (or other designated officer). The Chief Executive (or other designated officer) shall first consult such of the following members as are available -

- (a) the concerned Cabinet member; or
- (b) the chairman or vice-chairman of the concerned committee and, if the concerned committee could not itself decide the matter under delegated powers, the Leader and Deputy Leader of the Council.

In circumstances where the offices of the concerned Cabinet member, the chairman and vice-chairman of the concerned committee, or the Leader and Deputy Leader of the Council are unfilled, the Chief Executive (or other designated officer) shall first consult the Mayor before taking an urgent decision.

Such consultation shall be in written form and the decision shall be reported to the next scheduled meeting of the Cabinet or committee as appropriate

### **36. Resolution of Conflicting Decisions**

***If a decision made by the Cabinet is in direct conflict with one passed by any other committee then the matter will be resolved by the Council.***

**June 2017**