

GUILDFORD BOROUGH COUNCIL

COUNCIL PROCEDURE RULES

Part A – Council Meetings

1. ANNUAL MEETINGS AND PROCEEDINGS OF THE COUNCIL

1.1 Time and place

- (a) The Council shall in every year hold an annual meeting, ~~and may hold such other meetings as it may determine.~~

- (b) The annual meeting of the Council shall be held:

- (i) in a year of ordinary elections of councillors to the Council, on the eighth day after the day of retirement of councillors or such other day within 21 days following the day of retirement as the Council may fix; and
- (ii) in any other year, on such day in the month of March, April or May as the Council may fix

and the meeting shall, ~~unless the Council otherwise directs,~~ be held at ~~the Guildhall, High Street, Guildford commencing at 7pm such hour as the Council may fix or, if no hour is so fixed, at twelve noon.~~

- ~~(c) The other meetings shall be held at 7.00 pm or at such hour as the Council may determine and on such days as the Council may determine.~~

- ~~(d) Unless the Council shall otherwise direct, the annual meeting shall be held at the Guildhall, High Street, Guildford, and all other Council meetings shall be held at Millmead House, Millmead, Guildford.~~

- ~~(e) An extraordinary meeting of the Council may be called at any time by:~~

- ~~(i) the Council by resolution;~~

- ~~(ii) the Mayor or in his or her absence the Deputy Mayor;~~

- ~~(iii) the Monitoring Officer; or~~

- ~~(iv) any five councillors by written requisition presented to the Mayor and he or she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.~~

- ~~(f) The Executive Head of Governance will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules. Where the meeting has been called by councillors, the notice shall specify the business to be transacted.~~

- ~~(g) At least five clear working days before a meeting, the Executive Head of Governance will send a summons to every councillor or leave it at their usual place of residence. The summons will give the date, time and place of the~~

PART 4 – COUNCIL PROCEDURE RULES

~~meeting and specify the business to be transacted and will be accompanied by such reports as are available.~~

- ~~(h) If a councillor gives notice in writing to the Executive Head of Governance that he or she desires summonses to attend meetings of the Council to be sent to some address other than his or her place of residence, any summons left at or sent by post to that address shall be deemed sufficient service of the summons.~~
- ~~(i) Except in the case of business required by legislation and other business brought before a meeting as a matter of urgency, no business shall be transacted at a meeting of the Council other than that specified in the summons relating thereto.~~

1.2 Business to be transacted at the Annual Meeting

- (i) To choose a person to preside if the Mayor and Deputy Mayor* are absent
- (ii) To elect the Mayor
- (iii) To appoint the Deputy Mayor
- (iv) To receive any apologies for absence
- (v) To approve the minutes of the last ordinary meeting
- (vi) To receive any communications or announcements from the Mayor
- (vii) To consider any other business set out in the summons

Other than items (i) to (iii) above, the order of business may be varied by the Mayor or by Council resolution.

* If, at the start of the Annual Meeting, the Mayor is absent and the Deputy Mayor (who is also the Mayor elect) is present, he or she may not preside over the election of Mayor and must absent himself or herself from the meeting until after the Council has dealt with that election. In these circumstances, the Executive Head of Governance, or another officer representing him or her, shall preside at the meeting for the election of Mayor only.

2. SELECTION COUNCIL MEETING**2.1 Time and place**

- (a) The Council shall in every year hold a Selection meeting, which shall normally be held on the first Tuesday following the date of the Annual Meeting, commencing at 7pm.
- (b) Unless the Council shall otherwise direct, the Selection meeting shall be held at Millmead House, Millmead, Guildford.

2.2 Business to be transacted at the Selection Meeting

- (i) To choose a person to preside if the Mayor and Deputy Mayor are absent
- (ii) To receive any apologies for absence

PART 4 – COUNCIL PROCEDURE RULES

- (iii) To receive and note any disclosable pecuniary interests from councillors
- (iv) To approve the minutes of the annual meeting
- (v) To receive any communications or announcements from the Mayor
- (vi) To receive any communications or announcements from the Leader of the Council (except at the post-election Selection Council meeting)
- (vii) To receive any questions, statements or petitions from the public in accordance with Public Speaking Procedure Rules
- (viii) To receive any questions from councillors in accordance with Council Procedure Rule 13
- (ix) To elect a Leader for a four year term of office (at the post-election Selection Council meeting)
- (x) To decide which committees to establish for the municipal year;
- (xi) To decide the size and terms of reference of those committees;
- (xii) To decide the numerical allocation of seats to political groups on committees in accordance with the political balance rules
- (xiii) To make appointments to committees.
- (xiv) To elect chairmen and vice-chairmen of committees
- (xv) To make appointments to outside organisations, except where appointment to those bodies has been delegated by the Council or is exercisable only by the Executive. In an election year, such appointments may be deferred to the first ordinary meeting of the Council in the municipal year
- (xvi) To consider any other business set out in the summons
- (xvii) To consider any motions in accordance with Council Procedure Rule 11
- (xviii) To authorise the sealing or signing of documents to give effect to any decisions taken

Notes:

- (1) Other than items (i) to (iv) above, the order of business may be varied by the Mayor or by Council resolution.
- (2) In relation to (vi) above, the Leader shall inform all councillors in advance of the meeting of any matters upon which he/she makes an announcement and councillors shall be given the opportunity of asking questions of the Leader in respect of any such announcement. Any such question or any response to such question shall not exceed three minutes.

PART 4 – COUNCIL PROCEDURE RULES**3. ORDINARY COUNCIL MEETINGS****3.1 Time and place**

- (a) Ordinary meetings shall be held on such days as the Council may determine and shall normally commence at 7.00 pm.
- (b) Unless the Council shall otherwise direct, ordinary meetings shall be held at Millmead House, Millmead, Guildford.

3.2 Business to be transacted at ordinary meetings

- (i) To choose a person to preside if the Mayor and Deputy Mayor are absent
- (ii) To receive any apologies for absence
- (iii) To receive and note any disclosable pecuniary interests from councillors
- (iv) To approve the minutes of the last meeting
- (v) To receive any communications or announcements from the Mayor
- (vi) To receive any communications or announcements from the Leader of the Council
- (vii) To receive any questions, statements or petitions from the public in accordance with Public Speaking Procedure Rules
- (viii) To receive any questions from councillors in accordance with Council Procedure Rule 13
- (ix) To consider any other business set out in the summons
- (x) To consider any motions in accordance with Council Procedure Rule 11
- (xi) To authorise the sealing or signing of documents to give effect to any decisions taken

Notes:

- (1) Other than items (i) to (iv) above, the order of business may be varied by the Mayor or by Council resolution.
- (2) In relation to (vi) above, the Leader shall inform all councillors in advance of the meeting of any matters upon which he/she makes an announcement and councillors shall be given the opportunity of asking questions of the Leader in respect of any such announcement. Any such question or any response to such question shall not exceed three minutes.

4. EXTRAORDINARY COUNCIL MEETINGS**4.1 Calling extraordinary meetings**

An extraordinary meeting of the Council may be called at any time by:

- (i) the Council by resolution;

PART 4 – COUNCIL PROCEDURE RULES

- (ii) the Mayor;
- (iii) the Monitoring Officer; or
- (iv) any five councillors by written requisition presented to the Mayor and he or she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

4.2 Time and place

- (a) Extraordinary meetings shall be held on such days as may be determined by the Council or the Executive Head of Governance in consultation with the Mayor and political group leaders and shall normally commence at 7.00 pm.
- (b) Unless the Council or the Executive Head of Governance shall otherwise direct, extraordinary meetings shall be held at Millmead House, Millmead, Guildford.

4.3 Business to be transacted at extraordinary meetings

- (i) To choose a person to preside if the Mayor and Deputy Mayor are absent
- (ii) To receive any apologies for absence
- (iii) To receive and note any disclosable pecuniary interests from councillors
- (iv) To receive any communications or announcements from the Mayor
- (v) To receive any communications or announcements from the Leader of the Council
- (vi) To receive only in relation to the business for which the extraordinary meeting has been called any questions, statements or petitions from the public in accordance with Public Speaking Procedure Rules
- (vii) To receive only in relation to the business for which the extraordinary meeting has been called any questions from councillors in accordance with Council Procedure Rule 13
- (viii) To consider the business for which the extraordinary meeting has been called
The Mayor may at his absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.
- (ix) To authorise the sealing or signing of documents to give effect to any decisions taken

Notes:

- (1) Other than items (i) to (iii) above, the order of business may be varied by the Mayor or by Council resolution.
- (2) In relation to (v) above, the Leader shall inform all councillors in advance of the meeting of any matters upon which he/she makes an announcement and councillors shall be given the opportunity of asking questions of the Leader in respect of any such announcement. Any such question or any response to such question shall not exceed three minutes.

PART 4 – COUNCIL PROCEDURE RULES**5. NOTICE OF AND SUMMONS TO ATTEND COUNCIL MEETINGS AND ATTENDANCE BY THE PUBLIC**

- (a) The Executive Head of Governance will give notice to the public of the time and place of any Council meeting in accordance with the Access to Information Procedure Rules in Part 4 of this Constitution. Where the meeting has been called by councillors, the notice shall specify the business to be transacted.
- (b) At least five clear working days before a meeting, the Executive Head of Governance will send a summons signed by him to every councillor or leave it at their usual place of residence. The summons will give the date, time and place of the meeting and specify the business to be transacted and will be accompanied by such reports as are available.
- (c) If a councillor gives notice in writing to the Executive Head of Governance that he or she desires summonses to attend meetings of the Council to be sent to some address other than his or her place of residence, any summons left at or sent by post to that address shall be deemed sufficient service of the summons.
- (d) Except in the case of business required by legislation and other business brought before a meeting as a matter of urgency, no business shall be transacted at a meeting of the Council other than that specified in the summons relating thereto.
- (e) The public shall be admitted to all meetings of the Council in accordance with the Access to Information Procedure Rules

6. ALTERATION OR CANCELLATION OF A COUNCIL MEETING

- (f)** Following consultation with the Mayor and political group leaders, the Executive Head of Governance may:
 - (i) alter the place, date or time previously fixed for a meeting provided that (except where such alteration arises from a matter outside the control of the Council when notice is to be given as soon as practicable) notice of such alteration is given at least five clear working days before the date of the meeting as originally fixed, or
 - (ii) cancel a meeting in circumstances where there is insufficient business to be transacted.

27. MAYOR

- (a) The Council shall elect a councillor to be Mayor on an annual basis.
- (b) The election of the Mayor shall be the first business transacted at the annual meeting of the Council
- (c) The Mayor shall, unless he or she resigns or becomes disqualified, continue in office until his or her successor becomes entitled to act as Mayor.

PART 4 – COUNCIL PROCEDURE RULES

- (d) During his or her term of office, the Mayor shall continue to be a councillor notwithstanding the provisions of the Local Government Act 1972 relating to the retirement of councillors.
- (e) If, apart from paragraph (d) of this Rule, the person presiding at the commencement of the annual meeting would have ceased to be a councillor, he or she shall not be entitled to vote in the election of the Mayor except to give a casting vote in the case of an equality of votes.
- (f) In the case of an equality of votes, the person presiding at the meeting shall give a casting vote in addition to any other vote he or she may have.
- (g) The Mayor may attend any meeting of the Executive, a committee or sub-committee of the Council and speak on any item under consideration, but he or she may not vote unless appointed as an ordinary member of a committee (other than the Executive) or sub-committee.

83. DEPUTY MAYOR

- (a) The Council shall appoint a councillor to be Deputy Mayor of the Council on an annual basis.
- (b) Unless he or she resigns or becomes disqualified, the Deputy Mayor shall hold office until the election of a Mayor at the next annual meeting of the Council and, during that time, shall continue to be a councillor notwithstanding the provisions of the Local Government Act 1972 relating to the retirement of councillors.
- (c) In the absence of the Mayor, The Deputy Mayor may exercise any power or duty of the Mayor.

94. CHAIRMAN OF MEETING

- (a) At a meeting of the Council, the Mayor, if present, shall preside.
- (b) If the Mayor is absent from a meeting of the Council, the Deputy Mayor, if present, shall preside.
- (c) If both the Mayor and Deputy Mayor are absent from a meeting of the Council, then the Executive Head of Governance or another officer representing him or her shall initially preside and the first business of the meeting shall be to elect a councillor to take the chair and to preside over the rest of the meeting. The Chairman for the meeting shall not be the Leader of the Council or a member of the Executive.
- (d) Any power or duty of the Mayor in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

105. QUORUM

- (a) Subject to paragraph (b) below, no business shall be transacted at a meeting of the Council unless at least one-quarter (namely 12) of the whole number of councillors are present.

PART 4 – COUNCIL PROCEDURE RULES

- (b) Where more than one-third of councillors become disqualified at the same time, then until the number of councillors in office is increased to not less than two-thirds of the whole number of councillors, the quorum of the Council shall be determined by reference to the number of councillors remaining qualified instead of by reference to the whole number of councillors.
- (c) If a quorum is not present after the expiration of thirty minutes from the appointed start time of the Council meeting, the Mayor shall declare that no meeting shall take place and shall direct that the meeting of the Council shall take place at such date and time as he or she may fix. If he or she does not fix a date and time, the business will be considered at the next ordinary meeting of the Council.
- (d) During any meeting, if the Mayor counts the number of councillors present and declares there is not a quorum present, the meeting will adjourn immediately and the remaining business will be considered at a time and date fixed by the Mayor or, if he or she does not fix a time and date at the next ordinary meeting of the Council.

~~6. ORDER OF BUSINESS~~**~~(a) Annual Meeting of the Council~~**

- ~~(i) Elect the Mayor~~
- ~~(ii) Appoint the Deputy Mayor~~
- ~~(iii) Approve the minutes of the last ordinary meeting~~
- ~~(iv) Receive any announcements from the Mayor~~
- ~~(v) Consider any other business set out in the summons~~

~~(b) Other Meetings of the Council~~

- ~~(i) Choose a person to preside if the Mayor and Deputy Mayor are absent~~
- ~~(ii) Receive declarations of interest from councillors~~
- ~~(iii) Approve the minutes of the last meeting of the Council~~
- ~~(iv) Deal with any business expressly required by statute to be done~~
- ~~(v) Receive any announcements from the Mayor~~
- ~~(vi) Deal with any business deferred from the last meeting~~
- ~~(vii) Receive petitions from the public in accordance with the Petition Scheme in Part 4 of this Constitution~~
- ~~(viii) Answer questions or hear addresses from the public in accordance with the Public Speaking Procedure Rules in Part 4 of this Constitution~~

PART 4 – COUNCIL PROCEDURE RULES

~~(ix) Answer questions from councillors under Procedure Rule 9~~

~~(x) Consider the recommendations of the Leader/Executive and committees~~

~~(xi) Consider motions received from councillors~~

~~(xii) Consider other business specified in the summons~~

~~(xiii) Receive the minutes of the Executive~~

~~(xiv) Authorise the sealing or signing of documents~~

~~At the meeting of the Council at which the council tax for the following financial year is set, the motion on the setting of the council tax shall be taken immediately after the disposal of business specified in item (b) (xiv) of this paragraph.~~

~~(c) Other than items under (a) (i), (ii) and (iii) and (b) (i) (iv), the order of business may be varied by the Mayor or by Council resolution.~~

711. NOTICE OF MOTIONS

Motions to be set out in the Council Agenda

- (a) Except for motions which can be moved without notice under Procedure Rule 812, written notice of every motion shall be delivered to the Executive Head of Governance not later than midnight12 noon on the seventh clear working days before the date of the meeting at which the motion is intended to be moved. ~~For the avoidance of doubt, this means that if the meeting is held on a Thursday, the written notice of motion would need to be delivered by midnight on the Monday of the previous week.~~
- (b) Every motion shall be relevant to some matter in relation to which the Council has powers or duties or which affects the Borough.
- (c) The Executive Head of Governance will, subject to (e) below, date and number the motion in the order in which it is received.
- (d) The Executive Head of Governance shall include the motion on the agenda in the order in which notice was received, unless the councillor giving such notice states in writing that he or she proposes to move it at some later meeting or withdraws it.
- (e) If the Executive Head of Governance has doubt as to the propriety of inserting the motion on the agenda, he or she will submit the motion to the Mayor and, if the Mayor~~she~~ considers that the motion is improper, out of order or not relevant to any question affectingrelating to the Council's powers or duties or to any matter affecting the administration or condition of the Borough, the Mayor may direct the Executive Head of Governance to return the motion to the councillor who sent it stating that it will not be inserted on the agenda except upon the written request of five councillors.

PART 4 – COUNCIL PROCEDURE RULES**Motions not Moved**

- (f) If a motion set out on the agenda is not moved either by a councillor who gave the notice or by some other councillor on his or her behalf, it shall be treated as withdrawn and shall not be moved without fresh notice unless postponed by consent of the Council.

Dealing with Motions at Council Meetings

(g) Unless a motion under Council Procedure Rule 12 (iv) is carried which has the effect of referring a motion of which notice has been given for consideration by the Leader/Executive or a committee, all such motions shall be dealt with by the Council at the meeting at which they are brought forward.

(g) If the Mayor considers it convenient and conducive to the dispatch of business and has given 24 hours' notice to the councillor moving the motion and subject to the approval of the Council at the meeting in accordance with paragraph (h) below, the motion will be dealt with at the meeting at which it is brought forward.

(h) The Mayor shall seek the general affirmation of the Council to the motion being dealt with at the meeting at which it is brought forward. If any councillor should object to the matter being debated at the meeting, the mover of the motion shall have a right to make a statement of up to two minutes in length on how the motion should be dealt with. The Leader of the Council, relevant lead councillor or chairman of the appropriate committee shall have the right to respond for up to two minutes. The question of dealing with the motion at the meeting shall then be put to the vote without debate

(i) If the Mayor does not consider it convenient or conducive to the dispatch of business or the majority of councillors present do not agree that the motion will be dealt with at the meeting at which it is brought forward, it shall be referred without discussion to the Leader/Executive or such committee as the Mayor may determine for consideration.

Attendance of Mover and Seconded at Executive/Committee Meetings

(h) If a motion is referred by the Council to a meeting of the Executive or other committee, the mover and seconded of the motion shall have the right to attend the relevant meeting and to explain the motion.

Number of Motions on the Agenda

(k)(i) No councillor shall have more than two motions on the same agenda.

812. MOTIONS AND AMENDMENTS WITHOUT NOTICE

The following motions ~~and amendments~~ may be moved and seconded without notice:

- (i) to appoint a chairman of the meeting at which the motion is moved;
- (ii) in relation to the accuracy of the minutes;
- (iii) to change the order of business in the agenda;
- (iv) to refer any matter for consideration by the Leader/Executive or a committee;

PART 4 – COUNCIL PROCEDURE RULES

- (v) to appoint a committee and its membership or representatives where this arises from an item on the agenda for the meeting;
- (vi) to ~~receive the minutes of the Executive and~~ adopt any resolutions ~~arising from recommendations of the Executive or other committees or~~ in relation to any ~~other~~ business specified in the summons;
- (vii) to withdraw a motion;
- (viii) to extend the time limit for speeches;
- (ix) to amend a motion;
- (x) to postpone consideration of a motion;
- (xi) to proceed to next business;
- (xii) to take an immediate vote on a motion;
- (xiii) to adjourn a debate;
- (xiv) to adjourn a meeting;
- (xv) to authorise the sealing of documents;
- (xvi) to suspend a particular Procedure Rule;
- (xvii) to exclude the public ~~and press~~ in accordance with the Access to Information Procedure Rules;
- (xviii) to not hear further from a councillor named under Procedure Rule [4216](#) (c) or to exclude them from the meeting;
- (xix) to invite a councillor to withdraw in accordance with the Councillors' Code of Conduct;
- (xx) to give the consent of the Council where its consent is required by this Constitution;
- (xxi) to carry out a statutory duty of the Council which, by reason of special circumstances, the Mayor is of the opinion should be considered at the meeting as a matter of urgency; and
- (xxii) to give guidance to the Leader/Executive or a committee in relation to a matter determined under delegated powers.

913. QUESTIONS BY COUNCILLORS**Spontaneous questions**

- (a) A councillor may ask the Leader, a lead councillor or a chairman of a committee, ~~as appropriate,~~ any question upon ~~any item of business on the agenda for the meeting an item of the minutes of the Executive or a recommendation of a committee~~ when that item is under consideration by the Council.

PART 4 – COUNCIL PROCEDURE RULES**Questions on notice**

- (b) A councillor may:
 - (i) ask the Mayor, Leader, a lead councillor or the chairman of any committee any question on a matter in relation to which the Council has powers or duties or which affects the Borough provided that written notice, specifying the question, is delivered to the Executive Head of Governance by no later than ~~midnight~~12 noon on the fifth working day before the date of the meeting of the Council at which the question is intended to be asked. For the avoidance of doubt, this means that if the meeting is held on a ~~Thursday~~Tuesday, written notice of the question would need to be delivered by ~~midnight~~12 noon on the ~~Wednesday~~Tuesday of the previous week.
 - (ii) with the permission of the Mayor, put to him or her, the Leader, a lead councillor or chairman of any committee any question relating to urgent business of which notice has not been given. A copy of any such question shall, ~~if possible~~, be delivered to the Executive Head of Governance not later than twelve noon on the day of the meeting.
- (c) The person to whom a question has been put may decline to answer.
- (d) In response to a question under paragraph (b) above, the person to whom the question has been put will normally provide and circulate to all councillors at the meeting a written answer which, together with the question, shall also be recorded in the minutes.
- (e) A councillor asking a question under paragraph (b) above may without notice ask one supplementary question if such a question arises directly from the answer given.
- (f) Any councillor may without notice ~~make one further comment or~~ ask a question arising from the response(s) given on any matter raised under this Procedure Rule.
- (g) At the end of the debate on any matter raised under this Procedure Rule, the person to whom the question was put shall be given the opportunity to respond to any supplementary questions ~~or comments~~ raised during the debate.
- (h) Any question, ~~comment~~ or response under paragraph (b) of this Procedure Rule shall not exceed ~~five~~three minutes in length.
- (i) No councillor shall ask more than two questions under paragraph (b) above at the same meeting.

1014. MINUTES OF COUNCIL MEETINGS

- (a) The minutes of every meeting of the Council shall be submitted to and signed at the next meeting of the Council (other than an extraordinary meeting).
- (b) The Mayor shall put the question that the minutes of the previous meeting of the Council be approved as a correct record.

PART 4 – COUNCIL PROCEDURE RULES

- (c) No discussion shall take place upon the minutes, except upon their accuracy, and any questions of their accuracy shall be raised by motion. If no such question is raised or if it is raised, then as soon as it has been disposed of, the Mayor shall sign the minutes.
- (d) Where, in relation to any meeting of the Council, the next meeting for the purpose of signing the minutes is an extraordinary meeting, then the next ordinary meeting will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 to the Local Government Act 1972 relating to signing of minutes.

(e) The minutes will contain all motions and amendments in the form and order in which the Mayor put them.

415. RULES OF DEBATE

Motions and Amendments

- (a) No speeches may be made until a motion or amendment has been proposed and seconded.
- (b) Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him or her before it is discussed.

Seconders' Speech

- (c) When seconding a motion or amendment, a councillor may reserve his or her speech until later in the debate.

Content and Length of Speeches

- (d) Speeches must be directed to the question under discussion or to a personal explanation or point of order.
- (e) Except as otherwise provided for in these Procedure Rules and subject to paragraph s (f and g) below, no speech shall exceed:
 - (i) ten minutes in respect of a mover of a motion
 - (ii) five minutes in respect of any other councillor speaking in the debate on a motion or amendment
 - (iii) ~~(ten minutes in the case of the mover of a motion (but not an amendment)~~ exercising his or her right of reply at the end of the debate on the motion.

(f) There shall be no time limit for:

- (i) either the Leader of the Council or the lead councillors with responsibility for General Fund or Housing Revenue Account budgets in moving motions to approve those budgets and council tax; or

PART 4 – COUNCIL PROCEDURE RULES

(ii), the leader of the principal opposition group in commenting on the motions referred to in (i) above or moving an alternative budget.

~~(fg)~~ The time limits specified in paragraph (e) above may be extended with the consent of the Council, which shall be given or refused without debate.

When a Councillor May Speak Again

~~(gh)~~ A councillor who has spoken on any motion shall not speak again whilst it is the subject of debate, except:

- (i) to speak once on an amendment moved by another councillor;
- (ii) to move a further amendment if the motion has been amended since he or she last spoke;
- ~~(iii) if his or her first speech was on an amendment moved by another councillor, to speak on the main issue (whether or not the amendment on which he or she spoke was carried);~~
- ~~(iiiiv)~~ in exercise of a right of reply;
- (iv) on a point of order; or
- (vi) by way of personal explanation.

Amendments to Motions

~~(hi)~~ No amendment shall be debated until after the debate on the original motion.

(i) An amendment shall be relevant to the motion and will either be:

- (i) to refer the matter to the Leader/Executive, ~~or~~ an appropriate committee or other body for consideration or reconsideration;
- ~~(ii) to give guidance to the Leader/Executive or a committee on a subject determined under delegated powers;~~
- ~~(iii)~~ to leave out words;
- ~~(iiiiv)~~ to leave out words and insert or add others; or
- (iv) to insert or add words;

as long as the effect of ~~(iii)~~ to (iv) above is not to negate the motion.

If he or she deems it necessary, the Mayor shall read out the amended motion before the amendment is put.

~~(ik)~~ Only one amendment may be moved and discussed at any one time and no further amendment shall be moved until the amendment under discussion has been disposed of, provided that the Mayor may permit multiple amendments to be discussed together if he/she thinks that this will facilitate the proper conduct

PART 4 – COUNCIL PROCEDURE RULES

~~of business, subject to separate votes being taken in respect of each amendment notice of intention to move a further amendment, and its nature may at the discretion of any councillor be given to the Mayor before a vote is taken on the amendment under consideration.~~

- (j) If an amendment is lost, other amendments to the original motion may be moved.
- (k) If an amendment is lost, no other amendment having a similar effect may be moved at the same meeting of the Council.
- (l) If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the substantive motion to which any further amendments may be moved.

Alteration of Motions and Amendments

- (m) With the consent of his or her seconder and of the meeting, which shall be signified without discussion, a councillor may alter:
 - (i) a motion of which he or she has given notice; or
 - (ii) a motion or an amendment which he or she has moved;
 if the alteration is one which could be made as an amendment to the motion.

Withdrawal of Motions and Amendments

- (n) A councillor may withdraw a motion or amendment with the consent of his or her seconder and of the meeting, which shall be signified without discussion. No councillor may speak on the motion after the mover has asked permission for its withdrawal unless permission is refused.

Rights of Reply

- (o) The mover of a motion has a right ~~to of~~ reply at the end of the debate on the motion immediately before it is put to the vote.
- (p) 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.
- (q) The mover of ~~an~~the amendment shall have ~~an~~ right of reply ~~at the end of the debate on the amendment immediately after the reply on the amendment by the mover of the original motion.~~
- (r) A councillor exercising a right of reply shall confine him or herself to answering previous speakers and shall not introduce new matters or material. The Mayor's ruling on this shall be final and not open to discussion.

PART 4 – COUNCIL PROCEDURE RULES**Motions which may be moved during debate**

- (~~su~~) When a motion is under debate, no other motion shall be moved except for the following procedural motions:
- (i) to amend the motion;
 - (ii) to postpone consideration of the motion;
 - (iii) to adjourn the meeting;
 - (iv) to adjourn the debate;
 - (v) to proceed to the next business;
 - (vi) to take an immediate vote on the motion;
 - (vii) to not hear from a councillor named under [Council Procedure](#) Rule ~~42~~16 (c) or to exclude them from the meeting under [Council Procedure](#) Rule ~~16~~12(d); and
 - (viii) to exclude the public ~~and press~~ in accordance with the Access to Information Procedure Rules.

Closure Motions

- (~~tv~~) A councillor may move, without comment, the following motions at the end of a speech of another councillor:
- (i) to proceed to the next business;
 - (ii) to take an immediate vote on a motion;
 - (iii) to adjourn a debate; [or](#)
 - (iv) to adjourn the meeting;
 - (v) to exclude the public ~~and press~~ from the meeting; or
 - (vi) that a councillor be not further heard.
- (~~tw~~) On the seconding of a motion referred to in (~~tv~~) above, the Mayor shall proceed as follows:

Next Business

- (i) On a motion to proceed to the next business ~~(which may not be moved during a debate on a motion or amendment)~~, [if the Mayor thinks that unless in his or her opinion the matter before the meeting has been insufficiently discussed, the Mayor/he/she will give the mover of the original motion a right of reply and then shall](#) put the [procedural](#) motion to the vote.

PART 4 – COUNCIL PROCEDURE RULES**To Take an Immediate Vote on a Motion**

- (ii) On a motion to take an immediate vote on a motion, if the Mayor thinks that unless in his or her opinion the matter before the meeting has been insufficiently discussed, the Mayorhe/she shall first put the procedural motion to the vote. If the motion is passed, the Mayor will give the mover of the original motion or amendment his or her a right of reply before putting the matter to the vote.

To Adjourn the Debate or Meeting

- (iii) On a motion to adjourn the debate or the meeting, if in his or her opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, the Mayor shall put the adjournment motion to the vote without giving the mover of the original motion or amendment his or her right of reply.

On resuming an adjourned debate, the councillor who moved the adjournment is entitled to speak first.

A second motion to adjourn the meeting shall not be made within a period of thirty minutes from the first motion unless moved by the Mayor.

A councillor moving the adjournment of the debate or the meeting must confine his or her observations to that question and no amendment can be proposed to that motion unless it relates to the time of adjournment.

Exclusion of Public ~~and Press~~

- (iv) On a motion to exclude the public ~~and press~~, unless the motion appears on the agenda, the Mayor shall ascertain the grounds for the motion and seek the advice of the Executive Head of Governance as to whether members of the public ~~and press~~ may lawfully be excluded. If so, the Mayor will allow the mover of the original motion a right to reply on the proposal to exclude the public ~~and press~~ and then put the motion to the vote. If it is passed, the Mayor may, at his or her discretion, either immediately require the public ~~and press~~ to leave the room in which the debate is being held or adjourn the debate until some convenient time later in the meeting when the public ~~and press~~ shall have been excluded.

That a Councillor be Not Further Heard

- (v) On a motion that a named councillor be not further heard, the Mayor shall put the motion to the vote without discussion from any councillor. If it is passed, the named councillor shall not be permitted to speak again during the meeting on any motion or amendment relating to the same matter.

Point of Order/Personal Explanation

- (vx) A point of order is a request from a councillor to the Mayor to rule on an alleged irregularity in the procedure of the meeting. A councillor may ~~rise or~~raise a point of order ~~or in personal explanation~~ at any time and the Mayor shall hear ~~them~~it immediately.

PART 4 – COUNCIL PROCEDURE RULES

A point of order shall relate only to an alleged breach of these Council Procedure Rules or the law. The councillor must indicate the Rule or law and the way in which he or she considers it has been broken.

A councillor may also make a personal explanation at any time and the Mayor shall hear it immediately. A personal explanation shall be confined to some material part of an earlier speech by the councillor, which may appear to have been misunderstood in the present debate.

The ruling of the Mayor on a point of order or the admissibility of a personal explanation is final and is not open to discussion.

Venue of Adjourned Meetings

- (wy) Any motion to adjourn a debate or a meeting of the Council may specify the place, date and time at which the adjourned debate or meeting shall take place. If such specification is not given, the venue, date and time of the adjourned debate or meeting shall be determined by the Mayor or Executive Head of Governance.

Closure of Meeting

- (xz) Unless otherwise decided by a majority of councillors present and voting at the meeting, all meetings shall finish by no later than 10.30pm. Any outstanding items not completed by the end of the meeting shall be adjourned to a reconvened meeting or the next ordinary meeting of the Council.

4216. COUNCILLORS' CONDUCT**Standing to SpeakAddressing the Mayor**

- (a) All councillors must ~~stand and~~ address the Mayor when speaking during a Council meeting. If more than one councillor ~~stands~~indicates a wish to speak, the Mayor will ask one to speak and determine the order in which the others may speak~~must sit~~. Other councillors must remain ~~seated~~silent whilst the Mayor or other a councillor is speaking unless they wish to make a point of order or a point of personal explanation.

Mayor Standing

- (b) When the Mayor stands during a debate, any councillor speaking at the time must stop ~~and sit down~~. The meeting must be silent.

Councillor Not to be Heard Further

- (c) If a councillor persistently disregards the ruling of the Mayor by continued irrelevance or tedious repetitions or by behaving improperly or offensively or by wilfully obstructing the business of the Council, the Mayor may direct the councillor to stop speaking or request him or her to leave for the remainder of the meeting or for any lesser period.

Councillor to Leave the Meeting

- (d) If following a request to leave the meeting, the offending councillor does not retire, the Mayor may move "that the councillor named leave the meeting". The

PART 4 – COUNCIL PROCEDURE RULES

motion shall be put and determined without seconding or discussion. If carried, the Mayor shall give directions for the removal of the councillor and such other directions as are necessary for restoring order to the proceedings.

General Disturbance

- (e) If there is general disturbance making orderly business impossible, the Mayor may adjourn the meeting for as long as he or she thinks necessary.

Requirement for councillors with disclosable pecuniary interests to withdraw from meeting

- (f) Any councillor present at a meeting who is aware that they have a disclosable pecuniary interest in any matter that will be, or is being, considered at that meeting, and who has not received a dispensation in respect of that interest must:
 - (i) disclose the nature of the interest to the meeting (or, if it is a sensitive interest as described in the code of conduct, disclose merely the fact that it is a disclosable pecuniary interest);
 - (ii) not participate in any discussion or vote regarding that matter; and
 - (iii) withdraw immediately from the room or chamber (including the public gallery) where the meeting considering that matter is being held.

1317. CONDUCT OF THE PUBLIC ~~AND PRESS~~

- (a) If a member of the public interrupts proceedings, the Mayor shall warn the person concerned. If they continue to interrupt, the Mayor will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared.
- (b) ~~The video recording of any Council, Executive, committee or sub-committee meeting by the public or press shall be prohibited without the prior approval of the Mayor or chairman (as appropriate) and the agreement of the meeting.~~ Where any meeting of the Council, is open to the public, any person shall, subject to paragraph (a) above, be permitted to attend for the purpose of reporting on the meeting and may use any communication method, including the internet, to publish, post or otherwise share the results of the person's reporting activities during the meeting. "Reporting" includes photographing or making a video or audio recording of proceedings at a meeting and providing commentary on proceedings using social media.
- (c) Paragraph (b) above does not require the Council to permit oral reporting or oral commentary on a meeting as it takes place if the person reporting or providing the commentary is present at the meeting.
- (d) Where the public have been excluded from a meeting in accordance with the Access to Information Procedure Rules, no person shall be permitted to report on the meeting using methods which can be used without that person's presence at the meeting, and which enable persons not present at the meeting to see or hear the proceedings at the meeting as it takes place or later.

PART 4 – COUNCIL PROCEDURE RULES**1418. PREVIOUS DECISIONS AND MOTIONS**

No motion or amendment to rescind a decision made at a meeting of the Council within the past six months and no motion or amendment in similar terms to one which has been rejected at a meeting of the Council in the past six months can be moved unless the notice of motion is supported in writing by at least five ten councillors. When any such motion or amendment has been disposed of dealt with by the Council, it shall not be open to any councillor to propose a similar motion or amendment within a further period of six months. This Procedure Rule shall not apply to motions:

- (a) moved in pursuance of a recommendation of the Leader/Executive or a committee;
- (b) to carry out any statutory duty of the Council which, in the opinion of the Mayor, is of an urgent nature.

1519. VOTING**Majority**

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

Casting Vote

- (b) If there are equal numbers of votes for and against, the Mayor or person presiding at the meeting shall have a second or casting vote. There will be no restriction on how the Mayor or person presiding chooses to exercise a casting vote. Where the Mayor or person presiding chooses not to use his/her second or casting vote to produce a majority in favour of or against the proposition, then in such case the proposition shall be deemed to be lost for want of a majority.

Show of Hands

- (c) Unless a recorded vote is demanded under paragraph (d) below, the Mayor will take the vote by show of hands or by the use of such electronic voting system as the Council shall determine or, if there is no dissent, by the affirmation of the meeting.

Recorded Vote

- (d) On the request of any councillor made before the vote is taken and upon four other councillors signifying their support at the meeting by standing, the voting on any question shall be by roll-call and shall be recorded in the minutes of the meeting to show how each councillor present and voting cast their vote. The name of any councillor present and not voting will also be recorded. A recorded vote shall be taken at a meeting of the Council in respect of any motion or amendment to approve the budget or set council tax.

Recording of Individual Vote

- (e) Immediately after a vote is taken at a meeting of the Council, Executive or any committee or sub-committee, any councillor may require that the minutes show

PART 4 – COUNCIL PROCEDURE RULES

whether they voted for or against the motion or whether they abstained from voting.

Voting on Appointments

- (f) If there are more than two people nominated for any position to be filled and there is not a clear majority 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.

Result of Votes

- (g) The Mayor shall ascertain the numbers voting for or against any matter and his or her declaration as to the result shall be conclusive.

1620. RECORD OF ATTENDANCE

The names of all councillors and co-opted members present during the whole or part of a meeting shall be recorded. Every councillor and co-opted member attending a meeting of the Council or Executive or a committee or sub-committee of which he or she is a member shall sign his or her name in the attendance sheet provided for that purpose.

Part B – Election of Leader and appointment of Deputy Leader and lead councillors

21. ELECTION OF LEADER OF THE COUNCIL AND APPOINTMENT OF DEPUTY LEADER AND LEAD COUNCILLORS

Election of the Leader of the Council

- (a) The Leader of the Council shall be elected by councillors at the Selection Council meeting after the post-election annual meeting. The Leader's term of office shall, subject to Article 6 of this Constitution, be four years ending on the day of the next post-election annual meeting.
- (b) A councillor proposing to nominate another councillor as Leader must notify the Executive Head of Governance of their nomination before the meeting at which the election is to be held. The Executive Head of Governance will report any nominations received at the meeting.
- (c) If more than one councillor is nominated, the election of the Leader shall be by show of hands.

Appointment of the Deputy Leader and lead councillors

- (d) As soon as practicable following the election of the Leader, the Leader of the Council shall appoint a Deputy Leader and such lead councillors as the Leader shall from time to time determine and determine their respective areas of responsibility.

PART 4 – COUNCIL PROCEDURE RULES

(e) The Leader may at any time alter the areas of responsibility of any lead councillor or discontinue their appointment and appoint a replacement.

(f) The Leader shall report to the next appropriate meeting of the full Council on all such appointments and changes to areas of responsibility.

Part C – Committee Meetings

22. THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES TO REGULATE THEIR OWN PROCEDURES

(a) The Executive and each committee and sub-committee shall, subject to any limitation imposed by these Council Procedure Rules or by resolution of the Council, regulate its own procedure, provided always that:

(i) Procedure Rule 15 (Rules of Debate)

(ii) Procedure Rule 19 (Voting) (except paragraph (d))

shall apply at the chairman's discretion to the conduct of debate and proceedings at meetings.

(b) Procedure Rules 16 and 17 relating to the behaviour of persons admitted to meetings shall apply to all meetings of the Executive, committees and sub-committees.

1723. APPOINTMENT OF COMMITTEES

(a) At the first~~Selection~~ Council meeting ~~after the annual meeting~~ each year, the Council shall appoint such committees as it shall determine and shall agree their respective size and terms of reference. ~~No member of a committee shall be appointed so as to hold office later than the next annual meeting of the Council.~~

Allocation of Seats on Committees

(b) Except in relation to the Licensing Committee and its sub-committees where the Council shall have absolute discretion as to whether they are politically balanced, the membership of each of the Council's committees and sub-committees shall be in accordance with statutory requirements for political balance. As far as possible, the number of seats allocated to a political group on committees and sub-committees will reflect the size of that group in proportion to the total Council membership.

(c) The Council shall review the allocation of seats on committees to political groups at its Selection first meeting ~~after the annual meeting~~ and as soon as reasonably practicable following any change in the political constitution of the Council or as otherwise required by statute.

(d) Wherever such a review is required, the Executive Head of Governance will submit a report to the Council showing what allocation of seats would best meet the requirements for political balance.

PART 4 – COUNCIL PROCEDURE RULES**Appointments to Committees**

- (e) Whenever an appointment of a member or substitute member of a committee or sub-committee falls to be made in accordance with the wishes of a political group to whom the seat has been allocated or whenever such an appointment falls to be terminated in accordance with such wishes, the Executive Head of Governance shall make or terminate such appointments in accordance with the wishes of that political group.

The wishes of a political group are taken to be those expressed to the Executive Head of Governance in writing by (a) the leader of the political group or (b) in a statement to the Executive Head of Governance supported in writing by a majority of the members of that group. In the event that different wishes of a political group are notified in accordance with (a) and (b) above, the wishes notified in accordance with (b) shall prevail.

[No member of a committee shall be appointed so as to hold office later than the next annual meeting of the Council.](#)

Appointment, Dissolution and Alteration of Membership of Committees

- (f) The Council may, at any time:
- (i) appoint such committees as it considers necessary to carry out its non executive functions; and
 - (ii) dissolve a committee or alter its size.
- (g) The following committees shall be constituted in the manner specified:

- (i) Corporate Governance and Standards Committee (7 councillors and 3 co-opted independent members and 3 co-opted parish members in accordance with Article 10 of this Constitution)

[\(The Hearings Sub-Committee shall comprise five members drawn on a "panel" basis from the voting membership of the Corporate Governance and Standards Committee in accordance with Article 10 of this Constitution.](#)

- (ii) Corporate Improvement Scrutiny Committee (15 councillors)
- (iii) Customer and Community Scrutiny Committee (15 councillors)

(The Council has agreed that the chairman and vice-chairman for the time being of Guildford Borough Tenants' Action Group shall be co-opted as tenants' representatives on to the Customer and Community Scrutiny Committee and are permitted to participate in discussions, but not vote, on Borough Housing matters only.)

- (iv) Joint Scrutiny Committee

PART 4 – COUNCIL PROCEDURE RULES

(The Council has agreed that a joint scrutiny meeting shall be politically balanced and comprise the joint membership of both scrutiny committees, all of whom shall have full voting rights in respect of the matters referred to the joint meeting)

- (v) Employment Committee (3 councillors – including at least one member of the Executive)

- (vi) Licensing Committee (15 councillors)

(The Licensing Committee has established two sub-committee: Licensing Sub-Committee and Licensing Regulatory Sub-Committee, each of which shall comprise three councillors drawn on a “panel” basis from the membership of the Licensing Committee)

- (vii) Planning Committee (23 councillors)

(The Council has agreed as a protocol that it is desirable for a councillor representing each of the 22 wards to be given the opportunity to serve on the Planning Committee.)

- (viii) Local Joint Panel (6 councillors)

Appointment of Sub-Committees

- (jh) A committee may, at any time:

- (i) appoint such sub-committees as it considers necessary, including the membership thereof, to carry out the work of the committee; and
- (ii) dissolve a sub-committee or alter its size.

Appointment of Working Groups

- (ik) Committees and the Leader/Executive may appoint working groups for such purposes as they shall specify within their terms of reference. The continuation of working groups shall be reviewed at least annually by the body appointing them and from time to time by the Leader/Executive. The above provision shall only apply to formally appointed working groups and not to informal meetings of councillors.

Terms of Reference of Committees and Sub-Committees

- (l) — The responsibilities of the Council, committees and sub-committees shall be as set out in Part 3 of this Constitution, subject to any amendments as may be made by the Council.

Substitute Members

- (mj) The Council may appoint up to seven substitute members for each political or other group on the Council in respect of the Planning Committee, up to five substitute members in respect of each of the scrutiny committees (including the Joint Scrutiny Committee), up to four substitute members in respect of the Employment Committee and up to three substitute members in respect of each

PART 4 – COUNCIL PROCEDURE RULES

other committee or sub-committee in accordance with the wishes of the political group (and in respect of individual councillors not belonging to any political group, such other single substitute member as the individual councillor may nominate), except that:

no substitute members shall be appointed in respect of the Executive or Licensing Committee;

- ~~the Licensing Sub-Committee and Licensing Regulatory Sub-Committee shall comprise three councillors drawn on a “panel” basis from the membership of the Licensing Committee; and~~
- ~~the Hearings Sub-Committee shall comprise five members drawn on a “panel” basis from the voting membership of the Corporate Governance and Standards Committee in accordance with Article 10 of this Constitution.~~

Such substitute may take the place with the right to speak and vote of any member of that political or other group who is a member of the particular committee or sub-committee for the meeting (or part of the meeting) when such councillor is absent, subject to:

- (i) the substitution being notified to the Executive Head of Governance:
 - when the first item is called on the agenda;
 - at the commencement of a reconvened meeting; or
 - immediately upon the substitute member arriving at the meeting; and
- (ii) in the event of the member arriving after the substitution has been made, he or she shall resume membership of the committee or sub-committee at the commencement of the next item of business and the substitute member shall forthwith cease to be a member of the committee or sub-committee.

Such substitution shall not be used in relation to a specific item, but only to cover the absence of a councillor from the whole or part of a meeting.

~~18. ELECTION OF LEADER OF THE COUNCIL AND APPOINTMENT OF DEPUTY LEADER AND LEAD COUNCILLORS~~

~~Election of the Leader of the Council~~

- (a) ~~The Leader of the Council shall be elected by councillors at the first ordinary Council meeting after the post-election annual meeting. The Leader's term of office shall, subject to Article 6 of this Constitution, end on the day of the next post-election annual meeting.~~
- (b) ~~A councillor proposing to nominate another councillor as Leader must notify the Executive Head of Governance of their nomination before the meeting at which the election is to be held. The Executive Head of Governance will report any nominations received at the meeting.~~

PART 4 – COUNCIL PROCEDURE RULES

- ~~(c) If more than one councillor is nominated, the election of the Leader shall be by show of hands.~~

~~Appointment of the Deputy Leader and lead councillors~~

- ~~(d) As soon as practicable following the election of the Leader, the Leader of the Council shall appoint a Deputy Leader and such lead councillors as the Leader shall from time to time determine and determine their respective areas of responsibility.~~

- ~~(e) The Leader may at any time alter the areas of responsibility of any lead councillor or discontinue their appointment and appoint a replacement.~~

- ~~(f) The Leader shall report to the next appropriate meeting of the full Council on all such appointments and changes to areas of responsibility.~~

~~19. NO CONFIDENCE IN THE CHAIRMAN~~

- ~~(a) At any meeting of a committee or sub-committee, a councillor who is a member of that committee or sub-committee may propose that "the meeting has no confidence in the chairman". The question shall after debate be put and, if carried by a majority of at least two thirds of the voting councillors present, the chairman shall stand down and the remainder of the meeting shall be chaired by the vice chairman or, in his or her absence (or if he or she was the chairman subject to the vote) by a councillor elected for that purpose by the meeting.~~

- ~~(b) Following a successful vote of no confidence in the chairman, he or she shall not officiate at any subsequent meeting of the committee or sub-committee prior to the next meeting of the Council. At that meeting, the Council shall consider whether to confirm the vote of no confidence. If by a simple majority they shall decide to confirm the vote, the office of chairman of the relevant committee or sub-committee shall be declared vacant and a new chairman shall be elected by that committee or sub-committee.~~

2024. EXERCISE OF POWERS AND FUNCTIONS

No individual councillor, officer or group of councillors or officers (or both) shall be entitled to exercise any power or function of the Council save as already or hereafter delegated to them by the Council, Leader/Executive or a committee exercising a power or fulfilling a function on behalf of the Council or as detailed in this Constitution.

2125. DELEGATION TO COMMITTEES AND SUB-COMMITTEES

- (a) There shall be delegated to committees and sub-committees for determination such matters as the Council or legislation may from time to time prescribe.
- (b) In relation to any matter determined by a committee or sub-committee acting under delegated powers, it shall not be open to the Council or parent committee of a sub-committee to negate or amend any resolution passed, but the Council or parent committee may give guidance as to the manner in which the same or a similar matter shall be dealt with in future providing that such guidance shall not have the effect of causing the Council to breach the rules of natural justice or of prejudicing the determination by the committee or sub-committee of any

PART 4 – COUNCIL PROCEDURE RULES

matter required to be judged on its individual merits or of fettering the discretion of the committee or sub-committee in respect of any such matter .

- (c) In order for a planning application to be referred to the full Council for determination in its capacity as the Local Planning Authority, a councillor must first with a seconder, write to or email the Executive Head of Governance detailing the rationale for the request (the proposer and seconder ~~does~~ not have to be members of the Planning Committee ~~member~~).

The Executive Head of Governance shall inform all councillors by email of the request to determine an application by full Council, including the rationale provided for that request. The matter would then be placed as an agenda item for consideration at the next Planning Committee meeting. The proposer and seconder would each be given three minutes to state their case. The decision to refer a planning application to the full Council will be decided by a majority vote of the Planning Committee.

2226. QUORUM OF THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES

- (a) Except where authorised by statute or ordered by the Council, the number of voting members who shall form a quorum of the Executive or a committee or sub-committee shall be fixed in accordance with the following table:

Number of Voting Members on Committee or Sub-Committee	Number of Voting Members forming quorum
15 or more	5
11-14	4
10 or fewer	3

- (b) If during any meeting of the Executive or a committee or sub-committee, the chairman declares that there is not a quorum present, the meeting shall stand adjourned to a place, date and time fixed by the chairman at the time the meeting is adjourned or if he or she does not fix a place, date and time, to the next ordinary meeting of the Executive, committee or sub-committee.

2327. ATTENDANCE OF NON-MEMBERS AT THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES AND ADMISSION OF PUBLIC ~~AND PRESS~~

Attendance by Mover of Motion

- (a) A councillor who has moved a motion which has been referred to the Leader/ Executive or a committee shall be given notice by the Executive Head of Governance of the meeting at which it is proposed to consider the motion. He or she shall have the right to attend the meeting and explain the motion.

Attendance of Councillors at Meetings

- (b) A councillor shall have a right to attend meetings of the Executive or a committee or sub-committee on which he or she has not been appointed to serve.

PART 4 – COUNCIL PROCEDURE RULES

- (c) A councillor shall not be permitted to speak at meetings of the Executive or a committee or sub-committee on which he or she has not been appointed to serve except with the permission of the chairman or as allowed by paragraph (a) of this Procedure Rule and such councillor shall not be entitled to vote on any item under consideration.

Leader of the Council

- (d) The Leader of the Council may attend any meeting of a committee or sub-committee and speak on any item under consideration as of right, but he or she may not vote unless appointed as an ordinary member of that committee or sub-committee.

Admission of Public ~~and Press~~

- (e) The public ~~and press~~ shall be admitted to all meetings of the Executive, committees and sub-committees in accordance with the Access to Information Procedure Rules in Part 4 of this Constitution.

2428. ELECTION OF CHAIRMEN AND VICE-CHAIRMEN OF COMMITTEES**~~Election of Chairman and Vice-Chairmen of Committees~~**

- (a) ~~Every committee shall at its first meeting of a new municipal year, before proceeding to any other business, elect a chairman for that year and may at any time elect a vice-chairman. The Council, at its Selection meeting each year will elect a chairman and vice-chairman for each of the Council's committees. The election of the chairman will be chaired by the Mayor or, in his or her absence, the Deputy Mayor. If more than one councillor is proposed, election shall be by show of hands, secret ballot. In the event of a tie, the election will be decided by the drawing of lots.~~

The chairman and vice-chairman of any committee or sub-committee may, when elected, determine how they wish to be addressed on agendas and at meetings.

Absence of Chairman and Vice-Chairman

(b) At a meeting of a committee, the chairman, if present, shall preside.

(c) If the chairman is absent from a meeting, the vice-chairman, if present, shall preside.

(d) In the absence from a meeting of the chairman and vice-chairman, a chairman for that meeting shall be appointed from among the voting members of the committee.

(e) Any power or duty of the chairman in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

PART 4 – COUNCIL PROCEDURE RULES**29. NO CONFIDENCE IN THE CHAIRMAN**

- (a) At any meeting of a committee or sub-committee, a councillor who is a member of that committee or sub-committee may propose that “the meeting has no confidence in the chairman”. The question shall after debate be put and, if carried by a majority of at least two thirds of the voting councillors present, the chairman shall stand down and the remainder of the meeting shall be chaired by the vice-chairman or, in his or her absence (or if he or she was the chairman subject to the vote) by a councillor elected for that purpose by the meeting.
- (b) Following an affirmative vote of no confidence in the chairman, he or she shall not officiate at any subsequent meeting of the committee or sub-committee prior to the next meeting of the Council. At that meeting, the Council shall consider whether to confirm the vote of no confidence. If by a simple majority they shall decide to confirm the vote, the office of chairman of the relevant committee or sub-committee shall be declared vacant and a new chairman shall be elected by the Council in respect of a committee chairman and by the sub-committee in respect of a sub-committee chairman.

2530. MEETINGS OF THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES**Date and Time of Meetings**

- (a) Ordinary meetings of the Executive, committees and sub-committees shall be held on such days and at such times as the Council or the Executive, committee or sub-committee concerned may fix.

Length of Meetings

- (b) Unless otherwise decided by a majority of councillors present and voting at the meeting, all meetings shall finish by no later than 10.30pm. All meetings shall finish by 10.30 pm except:
- ~~• where it appears to the chairman that the remainder of the agenda can be completed expeditiously thereafter or where a debate on a specific matter has not been completed by 10.30 pm; or~~
 - where the Executive, committee or sub-committee concerned decides that specific matters should be considered at that meeting.

Any outstanding items not completed by the end of the meeting shall be adjourned to a reconvened meeting or the next ordinary meeting of the Executive, committee or sub-committee.

Calling Special Meetings

- (c) The chairman of the Executive or a committee or sub-committee may call a special meeting at any time. A special meeting shall also be called on the requisition of not less than 5 members of the Executive or committee (or in the case of a sub-committee by 3 members of the sub-committee) delivered in writing to the Executive Head of Governance. The time and place of special meetings shall be agreed by the chairman after consultation with appropriate group leaders and/or spokesmen.

PART 4 – COUNCIL PROCEDURE RULES**Venue of Meetings**

- (d) Subject to paragraph (i) below, meetings of the Executive, committees and sub-committees shall be held at Millmead House, Guildford, or at such other place as the Executive, committee or sub-committee concerned shall determine.

Notice of and Summons to Attend Meetings

- (e) The Executive Head of Governance will give notice to the public of the time and place of any Executive, committee or sub-committee meeting in accordance with the Access to Information Procedure Rules in Part 4 of this Constitution. Where a special meeting has been called by councillors, the notice shall specify the business to be transacted.

- (f) At least five clear working days before a meeting, the Executive Head of Governance shall send or deliver a summons to attend meetings of the Executive, committees and sub-committees to each member (and, where applicable, substitute member) of the Executive, committee or sub-committee (as the case may be) so that it is received at the usual place of residence of such councillor, or at such other place as may be requested by that councillor, at least five clear days before the time of the meeting. The summons will give the date, time and place of the meeting and specify the business to be transacted and will be accompanied by such reports as are available.

- ~~(f) The summons will specify the business to be transacted at the meeting of the Executive, committee or sub-committee.~~

- (g) No item of business shall be considered at a meeting of the Executive or a committee or sub-committee unless the provisions of the Local Government Acts 1972 and 2000 have been complied with in relation thereto.

- (h) No business other than that set out in the summons shall be considered at a special meeting of the Executive or a committee or sub-committee.

Alteration or Cancellation of Meeting

- (i) Following consultation with the chairman and, where applicable, group spokesmen of the Executive, committee or sub-committee concerned or group leaders, the Executive Head of Governance may:

- (i) alter the place, date or time previously fixed for a meeting provided that (except where such alteration arises from a matter outside the control of the Council when notice is to be given as soon as practicable) notice of such alteration is given at least five clear working days before the date of the meeting as originally fixed, or
- (ii) cancel a meeting in circumstances where there is insufficient business to be transacted.

PART 4 – COUNCIL PROCEDURE RULES**~~26. APPLICATION OF PROCEDURE RULES TO THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES~~**

~~(a) The Executive and each committee and sub-committee shall, subject to any limitation imposed by these Council Procedure Rules or by resolution of the Council, regulate its own procedure, provided always that:~~

- ~~(i) Procedure Rule 4 (Chairman of Meeting) replacing “Chairman” for “Mayor”~~
- ~~(ii) Procedure Rule 11 (Rules of Debate)~~
- ~~(iii) Procedure Rule 15 (Voting) (except paragraph (d))~~
- ~~(iv) Procedure Rule 29 (Interpretation of Procedure Rules)~~

~~shall apply at the chairman’s discretion to the conduct of debate and proceedings at meetings.~~

~~(b) Procedure Rules 12 and 13 relating to the behaviour of persons admitted to meetings shall apply to all meetings of the Executive, committees and sub-committees.~~

2731. PROCEEDINGS OF THE EXECUTIVE, COMMITTEES AND SUB-COMMITTEES TO BE CONFIDENTIAL

All summonses (including items of business mentioned therein), reports and other documents and all proceedings of the Executive, committees and sub-committees shall be treated as confidential unless and until they become public in the ordinary course of the Council’s business.

Part D – Suspension, Amendment and Interpretation of Council Procedure Rules

2832. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

- (a) Any motion to amend or revoke (but not to suspend) these Council Procedure Rules shall when proposed and seconded be referred without discussion to the next meeting of the Council for consideration.
- (b) Any of these Council Procedure Rules, other than those governed by statutory provisions, may be suspended as regards any business at the meeting where its suspension is moved.

2933. INTERPRETATION OF PROCEDURE RULES

- (a) The ruling of the Mayor in relation to the Council and the ruling of the chairman in relation to the Executive and all committee and sub-committee meetings as to the construction or application of any of these Procedure Rules, or as to any proceedings of the Council, Executive, committees or sub-committees shall not be challenged at any meeting.
- (b) The ruling of the Executive Head of Governance as to the interpretation of these Procedure Rules and terms of reference in respect of the allocation of business to the Council, Executive, committees and sub-committees shall be final.