

## **SECTION 4**

### **4. FULL COUNCIL**

#### **4.1 Introduction**

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

#### **4.2 The Policy Framework**

The Policy Framework means the following plans and strategies:

- (i) those required by The Local Authorities Executive Arrangements (Functions and Responsibilities) (Wales) Regulations 2007 and the Amendment Regulations 2009 to be adopted by the Council:
  - Children and Young People's Plan (now incorporated in the Community Strategy);
  - Community Strategy;
  - Crime and Disorder Reduction Strategy;
  - Health and Wellbeing Strategy (now incorporated in the Community Strategy);
  - Local Transport Plan;
  - Plans and alterations which together comprise the Development Plan;
  - Welsh Language Scheme;
  - Youth Justice Plan;
  - Powers to approve a Young People's Partnership Strategic Plan and a Children and Young People's Framework Partnership;
  - Housing Strategy;
  - Rights of Way Improvement Plan.
- (ii) those other plans and strategies which Chapter 3 of the Assembly Guidance recommends should be adopted by the Council as part of the Policy Framework:

- Children First Plan;
- Corporate Plan;
- Housing Operational Plan;
- Housing Stock Business Plan;
- Lifelong Learning Development Plan;
- Policy Agreements.

(iii) plans and strategies other than those listed above will be the responsibility of the Executive.

#### 4.3 **The Single Integrated Plan**

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

#### 4.4 **Budget**

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits. The Full Council will decide the Council's overall revenue budget and overall capital budget and any changes to these. (See **Section 15** for how the Council can change the Policy Framework or Budget referred to it for approval by the Executive).

#### 4.5 **Housing Land Transfer**

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the National Assembly for Wales for approval of a programme of disposal of five hundred or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under Sections 32 or 43 of the Housing Act 1985.

#### 4.6 **Functions of the Full Council**

Only the Full Council will exercise the following functions:

- 4.6.1 adopting and changing the Constitution;
- 4.6.2 approving or adopting the Single Integrated Plan, Policy Framework, the budget and any application to the National Assembly for Wales in respect of any Housing Land Transfer;

- 4.6.3 subject to the urgency procedure contained in the Access to Information Procedure Rules in **Section 14** of this Constitution, making decisions about any matter in the discharge of an Executive Function which is covered by the Policy Framework or the budget where the decision-maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the budget;
- 4.6.4 appointing and removing the Leader in accordance with Standing Orders – see **Section 5.3**;
- 4.6.5 agreeing and / or amending the terms of reference for Committees, deciding on their composition and making appointments to them (in accordance with the Local Government and Housing Act 1989) unless the appointments have been delegated by the Council;
- 4.6.6 changing the name of the area or conferring the title of freedom of the County Borough;
- 4.6.7 making or confirming the appointment of the Head of Paid Service
- 4.6.8 making, amending, revoking re-enacting or adopting bye-laws and promoting or opposing the making of local legislation or Personal Bills;
- 4.6.9 all Local Choice Functions set out in **Section 13** of this Constitution which the Council decides should be undertaken by itself rather than the Executive and
- 4.6.10 all matters which by law must be reserved to the Council (e.g. appointing the Chairman of the Democratic Services Committee and approving the Pay Policy Statement).

#### 4.7 **Membership**

- 4.7.1 All Members of the Council shall be Members of Full Council.
- 4.7.2 Chairing the Council
  - (a) The Councillor elected annually by the Council as its Chairman will be called the “Mayor”.
  - (b) The Mayor will cease to be Mayor if they resign, are dismissed by a vote of Full Council, cease to be a Member of the Council, or are unable to act as a Member of the Council. They continue to act as Mayor after an election until their successor has been appointed.
- 4.7.3 Role and Function of the Chairman (“Mayor”)

The Chairman of the Council and in his/her absence, the Vice-Chairman (“Deputy Mayor”) will have the following roles and functions:

(a) *Ceremonial Role*

The “Mayor” of the Council:

- (i) is the civic leader of the Vale of Glamorgan Council;
- (ii) promotes the interests and reputation of the Council and the Vale of Glamorgan as a whole and acts as an ambassador for both; and
- (iii) undertakes civic, community and ceremonial activities and fosters community identity and pride.

(b) *Responsibilities of the Chairman*

- (i) to uphold and promote the purpose of the Constitution, and to interpret the Constitution when necessary;
- (ii) to preside over meetings of the Council so that its business can be carried out fairly and efficiently and with regard to the rights of Councillors and the interests of the Community;
- (iii) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the Executive are able to hold the Executive and Committee Chairmen to account;
- (iv) to promote public involvement in the Council’s activities;
- (v) to attend such civic and ceremonial functions as the Council and he / she determines appropriate;
- (vi) to carry out duties as required under the Family Absence for Members of Local Authorities (Wales) Regulations 2013.

4.8 **Council Meetings**

There are three types of Council meeting:

- 4.8.1 the annual meeting;
- 4.8.2 ordinary meetings; and
- 4.8.3 extraordinary meetings.

4.9 **Rules of Procedure and Debate**

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

#### 4.10 **Council Procedure Rules – Annual Meeting of the Council**

##### 4.10.1 Timing and Business

In a year when there is an ordinary election of Councillors, the Annual Meeting will take place within twenty one days of the retirement of the outgoing Councillors. In any other year, the Annual Meeting will take place in March, April or May. The Annual Meeting will:

- (a) elect a person to preside if the Chairman and Vice-Chairman of the Council are not present;
- (b) elect the Chairman of the Council;
- (c) elect the Vice-Chairman of the Council;
- (d) receive any announcements from the Chairman, Head of Paid Service and Executive Members;
- (e) elect the Leader of the Council (see **Section 5.3**);
- (f) be told by the Leader the name of the Member chosen to be Deputy Leader and the number and names of Members to be appointed to the Executive and their portfolios/responsibilities;
- (g) appoint the Scrutiny Committees, a Standards Committee and such other Committees and sub-committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive Functions (as set out in **Section 13** of this Constitution);
- (h) approve a programme of ordinary meetings of the Council for the year, unless the Council has previously agreed a programme at an earlier meeting; and
- (i) consider any business set out in the notice convening the meeting.

##### 4.10.2 Selection of Councillors on Committees and Outside Bodies

At the Annual Meeting, the Council will:

- (a) decide which Committees to establish for the municipal year;
- (b) decide the size and terms of reference for those Committees;
- (c) decide the allocation of seats to political groups in accordance with the political balance rules;
- (d) receive nominations of Councillors to serve on each Committee;

- (e) make appointments to those Committees and outside bodies, except where appointment to those bodies has been delegated by the Council or is exercisable only by the Executive.

#### 4.11 **Ordinary Meetings**

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's Annual Meeting unless the Council has previously agreed a programme at an earlier meeting. The order of business at ordinary meetings will be as follows:

- 4.11.1 elect a person to preside if the Chairman and Vice-Chairman are not present;
- 4.11.2 approve the minutes of the last meeting;
- 4.11.3 receive any declarations of interest from Members;
- 4.11.4 receive any announcements from the Chairman, Leader, members of the Cabinet or the Head of Paid Service and to receive petitions;
- 4.11.5 receive reports from the Executive and the Council's Committees and receive questions and answers on any of those reports;
- 4.11.6 receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- 4.11.7 consider any other business specified in the summons to the meeting, including consideration of proposals from the Executive in relation to the Council's Budget and Policy Framework, Single Integrated Plan and reports of the Scrutiny Committees for debate;
- 4.11.8 consider motions; and
- 4.11.9 deal with questions from Members in accordance with **Rule 4.18**;
- 4.11.10 receive questions from, and provide answers to, the public in accordance with the Council's published procedure.

#### 4.12 **Extraordinary Meetings**

##### 4.12.1 Calling Extraordinary Meetings

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

- (a) the Council by resolution;
- (b) the Chairman of the Council;
- (c) the Monitoring Officer;

- (d) any five Members of the Council if they have signed a requisition presented to the Chairman of the Council and he / she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

#### 4.12.2 Business

The business to be conducted at an extraordinary meeting shall be restricted to the item of business contained in the request for the extraordinary meeting, together with Apologies, the Roll Call and Members' Declarations of Interest and there shall be no consideration of previous minutes from Council.

#### 4.13 Time and Place of Meetings

The time and place of meetings will be determined by the Proper Officer and notified in the summons.

#### 4.14 Notice of and Summons to Meetings

The Proper Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules in **Section 14**. At least five clear days before a meeting, the Proper Officer will send a summons in his/her name to every Member of the Council or Committee or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

#### 4.15 Chair of Meeting

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

#### 4.16 Quorum

The quorum of a meeting will be one quarter of the whole number of Members, apart from committees comprising eight Members or less, when the quorum shall be three Members. During any meeting, if the Chairman counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

#### 4.17 Questions by the Public

Anyone who is on the Vale of Glamorgan Register of Electors or is a Vale of Glamorgan Council taxpayer or non-domestic ratepayer may submit, in advance, a question at Full Council meetings. Full details of the procedure can be found on the Council's website. Questions must be received at least ten working days prior to the meeting.

#### 4.17.1 Scope of Questions

The Proper Officer will reject a question if it:

- is about a matter for which the Council has no responsibility or does not specifically affect the Vale of Glamorgan
- is defamatory, frivolous or offensive
- relates to a complaint (these should be channelled via the Council's formal complaints procedure)
- relates to the questioner personally or their family
- relates to a specific planning application or application for licence
- relates to a specific Member, Council employee or member of the public
- is substantially the same as a question which has already been put at a meeting of the Council in the past six months
- requires the disclosure of confidential or 'exempt' information
- involves the preparation of an answer which would require the expenditure of a disproportionate amount of time, money or effort
- is not received at least ten working days prior to the meeting.

#### 4.18 Questions by Members

##### 4.18.1 On Reports of the Executive or Committees

A Member of the Council may ask the Leader, the relevant Cabinet Member or the Chairman of a Committee any question without notice directly arising from an item of the report of the Executive or a Committee, when that item is being received or is under consideration by the Council.

##### 4.18.2 Questions on Notice at Full Council

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

- (a) the Chairman of the Council;
- (b) a Member of the Executive;
- (c) the Chairman of any Committee or sub-committee;

a question on any matter in relation to which the Council has powers or duties or which affects the Vale of Glamorgan.

#### 4.18.3 Questions on Notice at Committees and Sub-Committees

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

#### 4.18.4 Notice of Questions

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

- (a) they have given notice in writing of the question to the Proper Officer by no later than 12.00 noon on the Wednesday of the week prior to the day of the meeting at which the question is to be asked

(N.B. In the event that an ordinary Council Meeting takes place on a day other than a Wednesday, questions must be submitted no later than 12.00 noon on the equivalent day of the preceding week); or

- (b) the question relates to urgent matters, they have the consent of the Chairman or Member to whom the question is to be put and the content of the question is given to the Proper Officer by 12.00 noon on the day of the meeting.

#### 4.18.5 Order of Questions

Questions of which notice has been given under **Rule 4.18.2 or 4.18.3** will be listed on the agenda in the order received, unless determined otherwise by the Chairman of the Council. All questions will be included in the Council agenda and will not be read out at the meeting. Replies from Cabinet Members will be read out and the provision for supplementary questions and replies will then ensue (see **Rule 4.18.7** below).

#### 4.18.6 Response

An answer may take the form of:

- (a) a direct oral answer at the meeting;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer will be supplied to all Members.

#### 4.18.7 Supplementary Question

A Member asking a question under **Rule 4.18.2 or 4.18.3** may ask one supplementary question without notice of the Member to whom

the first question was asked. The supplemental question must arise directly out of the original question or the reply.

(N.B. In the event that an ordinary Council Meeting takes place on a day other than a Wednesday, questions must be submitted no later than 12.00 noon on the equivalent day of the preceding week.)

#### 4.19 **Motions on Notice**

##### 4.19.1 Notice

Except for motions which can be moved without notice under **Rule 4.20**, written notice of every motion, signed by at least two Members, must be delivered to the Proper Officer not later than ten clear days before the date of the meeting at which it is to be considered. Motions received will be entered in a book open to public inspection.

##### 4.19.2 Motion Set Out in Agenda

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the Member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

##### 4.19.3 Scope

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

#### 4.20 **Motions without Notice**

The following motions may be moved without notice:

- (a) to appoint a Chairman of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a Committee or Member arising from an item on the summons for the meeting;
- (f) to receive reports or adoption of recommendations of Committees or Officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;

- (j) that the question be now put;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) to suspend a particular Council Procedure Rule;
- (n) to exclude the public and press in accordance with the Access to Information Procedure Rules;
- (o) to not hear further a Member named under **Rule 4.26.3** or to exclude them from the meeting under **Rule 4.26.4**; and
- (p) to give the consent of the Council where its consent is required by this Constitution.

#### 4.21 **Rules of Debate**

##### 4.21.1 No Speeches until Motion Seconded

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

##### 4.21.2 Right to Require Motion in Writing

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

##### 4.21.3 Secunder's Speech

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

##### 4.21.4 Content and Length of Speeches

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

##### 4.21.5 When a Member may Speak Again

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

- (a) to speak once on an amendment moved by another Member;
- (b) to move a further amendment if the motion has been amended since he/she last spoke;

- (c) if his / her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (d) in exercise of a right of reply;
- (e) on a point of order; and
- (f) by way of personal explanation.

#### 4.21.6 Amendments to Motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
  - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
  - (ii) to leave out words;
  - (iii) to leave out words and insert or add others; or
  - (iv) to insert or add wordsas long as the effect of (ii) to (iv) is not to negate the motion.
- (b) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (e) After an amendment has been carried, the Chairman will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

#### 4.21.7 Alteration of Motion

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

- (c) Only alterations which could be made as an amendment may be made.

#### 4.21.8 Withdrawal of Motion

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

#### 4.21.9 Right of Reply

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

#### 4.21.10 Motions which may be Moved During Debate

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

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) to exclude the public and press in accordance with the Access to Information Procedure Rules; and
- (h) to not hear further a Member named under **Rule 4.26.3** or to exclude them from the meeting under **Rule 4.26.4**.

#### 4.21.11 Closure Motions

- (a) A Member may move, without comment, the following motions at the end of a speech of another Member;
  - (i) to proceed to the next business;

- (ii) to ask that the question be now put;
  - (iii) to adjourn a debate; or
  - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Chairman thinks the item has been sufficiently discussed, he/she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Chairman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Chairman thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

#### 4.21.12 Point of Order

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

#### 4.21.13 Personal Explanation

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

### 4.22 Previous Decisions and Motions

#### 4.22.1 Motion to Rescind a Previous Decision

No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed unless a preliminary notice in writing of such motion or amendment signed by the Member proposing the same is delivered to the Proper Officer at the Civic Offices before the expiration of twenty four hours from the time of commencement of the meeting of the Council at which such resolution was passed and a confirmatory

written notice signed by at least twelve Members of the Council and setting out the proposed motion or amendment is delivered to the Proper Officer at the Civic Offices before the expiration of five days from the date of the meeting at which the resolution was passed.

#### 4.22.2 Motion Similar to One Previously Rejected

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

### 4.23 Voting

#### 4.23.1 Majority

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

#### 4.23.2 Chairman's Casting Vote

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

#### 4.23.3 Method of Voting

Unless a ballot or recorded vote is demanded under **Rule 4.23.4** or **Rule 4.23.5**, the Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

#### 4.23.4 Ballots

The vote will take place by ballot if at least half the Members present at the meeting demand it. The Chairman will announce the numerical result of the ballot immediately the result is known.

#### 4.23.5 Recorded Vote

If six Members present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

#### 4.23.6 Right to Require Individual Vote to be Recorded

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

#### 4.23.7 Voting on Appointments

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

#### 4.24 **Minutes**

##### 4.24.1 Signing the Minutes

The Chairman will sign the minutes of the proceedings at the next suitable meeting. The Chairman will move that the minutes of the previous meeting be signed as a correct record. The only aspect of the minutes that can be discussed is their accuracy.

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

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

##### 4.24.3 Form of Minutes

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

#### 4.25 **Exclusion of Public**

Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in **Section 14** of this Constitution or **Rule 4.27** (Disturbance by Public) or as determined by the Proper Officer (i.e. Monitoring Officer). (N.B. If any particular meeting determines that a Part II report should be moved into Part I, the item must be deferred to the next meeting of the Committee in the interests of transparency (unless the Committee determines that the matter is urgent).

#### 4.26 **Members' Conduct**

##### 4.26.1 Speaking at Meetings

When a Member speaks at Full Council he/she must stand (unless otherwise agreed by the Chairman) and address the meeting through the Chairman. If more than one Member signifies their intention to speak, the Chairman will ask one to speak and the others must sit. Other Members must remain silent whilst a Member is speaking

unless they wish to make a point of order or a point of personal explanation.

#### 4.26.2 Chairman Speaking

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

#### 4.26.3 Member not to be Heard Further

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

#### 4.26.4 Member to Leave the Meeting

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

#### 4.26.5 General Disturbance

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

### 4.27 **Disturbance by Public**

#### 4.27.1 Removal of Member of the Public

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room.

#### 4.27.2 Clearance of Part of Meeting Room

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

### 4.28 **Filming and Recording During Meetings**

Filming and recording of meetings will only be allowed if prior permission is sought in writing from, and granted by, the Proper Officer in advance of the meeting.

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

### 4.29.1 Suspension

All of these Council Rules of Procedure may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council or Committee (when being proposed at a Committee meeting) are present. Suspension can only be for the duration of the meeting.

### 4.29.2 Amendment

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

## 4.30 **Family Absence for Members**

4.30.1 A Member on maternity absence or parental absence may, subject to paragraphs **4.30.2** and **4.30.6** below:

- Attend particular meetings
- Attend particular descriptions of meetings
- Perform particular duties; or
- Perform duties of a particular description.

4.30.2 The Member must obtain the permission of the Mayor (or in his/her absence the Deputy Mayor) before attending any meeting or performing any duty.

4.30.3 The Mayor (or in his/her absence the Deputy Mayor) must inform the Leaders of each political group of the Local Authority before granting permission under paragraph **4.30.2** above.

4.30.4 A Member may complain in writing to the Head of Democratic Services regarding a refusal under paragraph **4.30.2** above.

4.30.5 The Head of Democratic Services must refer a complaint under paragraph **4.30.4** above to the Mayor.

4.30.6 A Panel constituted in accordance with The Family Absence for Members of Local Authorities (Wales) Regulations 2013 must determine a complaint made under paragraph **4.30.4** above.

4.30.7 The Panel may:

- Confirm the decision of the Mayor (or in his/her absence the Deputy Mayor) of the Council; or

- Substitute its own decision as to the Member attending any meeting or performing any duty.

4.31 **Application to Committees and Sub-Committees**

All of the Council Rules of Procedure apply to meetings of Full Council. None of the Rules apply to meetings of the Executive. Only Rules 4.14 – 4.30 (but not Rules 4.17 and 4.26.1) apply to meetings of Committees and sub-committees. Rules 4.22.1 and 4.22.2 do not apply to the Planning Committee.