

Section B - Full Council - Procedural Standing Orders

SO Number	Standing Order	Page Number
1	Annual Meeting	7
2	Ordinary Meetings	7
3	Extraordinary Meetings	7
4	Place and Time of Meetings	7
5	Changes to Calendar of Meetings	7
6	Allocation of Seats in the Council Chamber	8
7	Attendance at Meetings	8
8	Quorum	8
9	Chair of Meeting	8
10	Chairman's Interpretation and Application of Standing Orders	8
11	Chairman Standing – Call to Order	9
12	Interruption by a County Councillor	9
13	Interruption by a member of the public	9
14	General Disturbance	9
15	Councillors Standing to Speak – Two Councillors Not to Remain Standing	9
16	Explanation of Speech	9
17	Point of Order	10
18	Agenda and advice	10
19	Order of Business	10
20	Consideration by Full Council of Cabinet Proposals and Conflict Resolution	11
21	Moving of Cabinet or Committee Recommendations	11
22	Committee Reports to Full Council	11

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23	Minutes	11
24	Suspension of Standing Orders	12
25	Exclusion of Press and Public	12
26	Procedure for dealing with matters of Urgent Business which cannot await a meeting of the Full Council	12
27	Procedure for dealing with matters of Urgent Business at meetings	13
28	Councillor Question Time	13
29	Councillor Questions on Cabinet and Committee Reports	15
	Motions and Amendments	15
30	Scope of Motions	15
31- 32	Motions which may be Moved without Notice	15/16
33	Motions which cannot be Moved	16
34	Withdrawal of Motion which is before the Council	16
35	Motions not dealt with	17
36	Submission of Notice of Motion in Writing and Ruling of the Chief Executive	17
37	Speaking on Motions	17
38	Length of speeches and debates	18
39	Moving and Seconding of Motions	19
40	Amendment Carried to Become Substantive Motion	20
41	Subsequent Amendments	20
42	Friendly Amendments	20
43	Right of Reply	20
44	Closure of Debate	20
45	Voting	21



Annual Meeting

1. The Annual Meeting of the Full Council shall, subject to Standing Order 4 below, be held:
 - (a) in the year of County Council elections within 3 weeks after the date of the election.
 - (b) in any other year on a day in May as the Full Council decides.

Ordinary Meetings

2. Subject to Standing Order 4, Ordinary meetings will take place in accordance with a programme decided by the Full Council.

Extraordinary Meetings

3. Those listed below may request the Chief Executive to call an Extraordinary Meeting:
 - (a) The Council by resolution.
 - (b) The Chairman of the Council.
 - (c) Any five members of the Council if they have signed a request presented to the Chairman and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the request.

Place and Time of Meetings

4.
 - (1) Meetings shall be held in County Hall, Preston, on a Thursday at 1.00 pm or at such other time as the Full Council may decide.
 - (2) The Chairman, in his discretion, may, in consultation with the Political groups represented on the Council, alter the time, date or place of the meeting.

Changes to Calendar of Meetings

5. A timetable of meetings will be approved annually by Full Council. Any alterations to the date, time and venue for a meeting and any additional meetings shall be approved by the Chairman in accordance with Standing Order 4(2). There will be a presumption against alterations once the annual timetable has been approved.



Allocation of Seats in the Council Chamber

6. Each seat in the Council Chamber shall be numbered and allocated to Councillors in accordance with
 - i. An overall allocation to each political group represented on the council (and to any individual councillors who are not members of a group) agreed by the Monitoring Officer
 - ii. the wishes of the Political Groups within those allocations

Political Groups must inform the Chairman of the Council of the allocation of seats, and any changes to those allocations, at least 48 hours before a meeting of the Full Council. Any changes made less than 48 hours before a meeting may only be requested in exceptional circumstances and must be agreed by the Chairman.

Attendance at Meetings

7. All Councillors present during the whole or part of a meeting shall have their attendance recorded.

Quorum

8. The quorum of a meeting shall be a quarter of the Full Council's membership at the time of the meeting. If at any time there is not a quorum, the meeting shall be adjourned for 15 minutes. If after that time there is still not a quorum, the meeting and any remaining business shall stand adjourned to a time fixed by the Chairman or, if he/she does not fix a time, to the next ordinary meeting.

Chair of Meeting

9. At every meeting the Chairman, if present, shall preside. If the Chairman is absent, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent, the meeting shall elect a Chairman from one of its voting members for the duration of the meeting.

Chairman's Interpretation and Application of Standing Orders

10. (1) The ruling of the Chairman at any meeting, as to the interpretation and application of any of these Standing Orders, or as to the proceedings of Full Council, shall be final.
 - (2) The Chairman may be invited to explain or reconsider a ruling by any voting member. Once this has been provided, the Chairman's ruling cannot be challenged further, other than by an order of the court.



Chairman Standing - Call to Order

11. If the Chairman so directs or stands, a Councillor speaking must immediately resume his/her seat and be silent.

Interruption by a County Councillor

12. (1) If a Councillor persistently disregards the ruling of the Chairman by behaving improperly or offensively or deliberately obstructs business, the Chairman may move that the Councillor be not heard further. If seconded, the motion will be voted on without discussion.
- (2) If the Councillor continues to behave improperly after such a motion is carried, the Chairman may move that either the Councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded the motion will be voted on without discussion.

Interruption by a member of the public

13. If a member of the public interrupts the meeting the Chairman will warn the person concerned. If he/she continues to interrupt the Chairman will order his/her removal from the meeting room.

General Disturbance

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

Councillors Standing to Speak – Two Councillors Not to Remain Standing

15. When speaking, a Councillor must stand and address the meeting through the Chairman. If more than one Councillor stands the Chairman will ask one to speak and the others must sit. Other Councillors must remain seated whilst a Councillor is speaking unless they wish to make a point of order or a point of personal explanation. With the permission of the Chairman, this Standing Order shall not apply to any Councillor who is unable to stand or sit for whatever reason.

Explanation of Speech

16. A Councillor may make a personal explanation at any time with the permission of the Chairman. An explanation shall only relate to some material part of his/her earlier speech which may have been misunderstood. The ruling of the Chairman on the admissibility of a personal explanation shall be final and not open to discussion.



Point of Order

17. A Councillor may raise a point of order at any time in relation to an alleged breach of a Standing Order or law and shall be entitled to be heard immediately. The Councillor must specify the Standing Order or law and the way in which he or she considers it has been broken. The ruling of the Chairman on a point of order shall be final and not open to discussion.

Agenda and advice

18. (1) The Chief Executive shall issue an Agenda not less than five clear working days before a meeting.
- (2) Decisions shall be taken only after Full Council has considered any advice given by the Chief Executive, the Chief Financial officer, the Monitoring Officer and any other appropriate Executive Director or their nominated representatives.

Order of Business

19. (1) Subject to Standing Order 19(2) below, the Agenda shall be divided into Part A (Matters for Decision), Part B (Matters for Information) and Part C (Notices of Motion) and the order of business (other than at an Extraordinary Meeting or at the annual budget setting meeting) shall be:
 - (a) to appoint a person to preside if the Chairman and Vice-Chairman are absent;
 - (b) Councillor Question Time (Standing Order 28 below);
 - (c) to confirm the Minutes of the last meeting of the Full Council;
 - (d) to deal with Reports of the Cabinet, Committees and Executive Directors, Directors and Heads of Service;
 - (e) to consider Notices of Motion in the order in which they have been set out in the agenda. The Chairman may alter the order in which they are discussed at the meeting; and
 - (f) other business, if any, specified in the Agenda.
- (2) The order of business falling under Standing Orders 19(1) (b) - (e) above may be varied by the Chairman at his/her discretion or by resolution which shall be moved and voted upon without debate.
- (3) The only business to be conducted at an Extraordinary Meeting of the Council shall be the business specified in the summons for the meeting.



- (4) Councillor Question Time and the consideration of Notices of Motion shall not form part of the agenda at the annual budget setting meeting.

Consideration by Full Council of Cabinet Proposals and Conflict Resolution

20. The Full Council will resolve any disputes between the Full Council and the Cabinet in setting the Policy and Planning Framework and the Budget in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 (as amended).

Moving of Cabinet or Committee Recommendations

21. At a Full Council meeting the adoption of any recommendations of the Cabinet or a Committee shall be moved by a Cabinet Member or the Chairman of the Committee, or in their absence by another member of the Cabinet or the Committee.

Committee Reports to Full Council

22. The following Committees shall submit a report on decisions taken to the next ordinary meeting of Full Council. Each report shall be presented by the Chair of the relevant Committee:

- Conduct
- Health and Wellbeing Board
- Employment Committee
- Lancashire Pension Fund Committee
- Audit, Risk & Governance Committee
- The Overview and Scrutiny Committees
- Urgency Committee

Minutes

23. (1) The Minutes of each meeting shall be presented to the next Ordinary meeting of the Full Council. Where the next meeting is an Extraordinary Meeting, the minutes of the previous meeting shall not be presented, but shall instead be presented to the next Ordinary meeting.
- (2) The Chairman shall put the question that the Minutes of the previous meeting be approved as a correct record. No discussion shall take place about the Minutes, except about their accuracy. If no question is raised, or when a question about the accuracy of the Minutes has been raised and dealt with, the Chairman shall sign the Minutes as a true and correct record.
- (3) A record of each decision taken by the Full Council shall be available for public inspection at County Hall and on the Council's website as soon as reasonably practicable.

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Suspension of Standing Orders

24. (1) The Full Council's Procedural Standing Orders, except those detailed at Standing Order 24(2), may be suspended by motion with or without notice if at least one half of the whole number of members of the Full Council are present and vote. Suspension can only be for the duration of the meeting.
- (2) (a) Standing Order 45(2) below, (Matters decided by a simple majority of Councillors voting and present);
- (b) Standing Order 45(5) below, (Request by a Councillor that his/her vote be recorded);
- (c) Standing Order 45(6) below, (Chair to have a casting vote);
- (d) Standing Order 23(1) above, (Minutes to be signed at the next ordinary meeting if the next actual meeting is an extraordinary meeting);

Exclusion of Press and Public

25. (1) The Full Council may exclude the press and other members of the public from a meeting during an item of business wherever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt or confidential information.
- (2) If any question arises at a meeting of the Full Council as to the appointment, promotion, dismissal, salary, superannuation, or conditions of service, or as to the conduct of, any person employed by the County Council, such question shall not be the subject of discussion until the Full Council has decided whether or not the power of exclusion of the public under the relevant statutory power shall be exercised.
- (3) The business which is the subject of a resolution under Standing Orders 25(1) or 25(2) above shall stand adjourned until all other business of the meeting has been transacted whereupon the press and other members of the public shall leave the meeting and the adjourned business shall then be considered.

Procedure for dealing with matters of Urgent Business which cannot await a meeting of the Full Council

26. (1) The Chief Executive, the Monitoring Officer and each Executive Director may deal with matters of urgency which cannot await a meeting of the Full Council or the Urgency Committee of the Full Council, following



consultation with the Chair and Deputy Chair of the Urgency Committee. The other political group spokespersons on the Urgency Committee should be informed of matters of urgency as soon as practicable after the decision has been made. In the event that a political group is not represented on the Urgency Committee, the Leader of that Group shall, subject to the Council's Access to Information Procedure Rules, be informed of the decision taken.

- (2) The provisions at Standing Order 26(1) above shall be suspended in the period beginning with the fourth day after the County Council Elections and ending on the date of the first Annual Meeting of the new Council. During that period, the Chief Executive may deal with matters of urgency which cannot await a meeting of Full Council where delay would significantly and materially prejudice the interests of the County Council or the inhabitants of the County.
- (3) The Chief Executive shall only exercise the powers at Standing Order 26(2) above following consultation with the Leader (or in his/her absence, the Deputy Leader) of any political group with an overall majority, or if there is no majority political group, the Leader (or in his/her absence the Deputy Leader) of all political groups on the Council. In the event there is no Leader or Deputy Leader of any political group during that period, the Chief Executive shall consult with a representative or representatives of that group as he/she considers appropriate.

Procedure for dealing with matters of Urgent Business at meetings

27. An item of business not included on an Agenda shall only be considered where, by reason of special circumstances which shall be specified in the Minutes, the Chairman of the County Council is of the opinion that the item should be considered at the meeting as a matter of urgency.

Councillor Question Time

28. (1) Subject to the provisions of this Standing Order, a Councillor may ask a question at Full Council about any matter relating to the Council's powers and duties; or which affects the Council's administrative area or its residents; or which affects an organisation on which the Council is represented by a Councillor appointed or nominated by it.
- (2) A Councillor may ask only one question at a meeting, although he/she may also ask one related supplementary question.
- (3) Subject to Standing Order 28(4) below, a question under this Standing Order must be submitted in writing to the Head of Legal and Democratic Services by no later than 12 noon seven clear working days before the Council meeting. For example, if the meeting is on a Thursday, the



question must be received in writing by 12 noon on the Monday of the preceding week.

- (4) The time limit set out in Standing Order 28(3) above may be waived to allow a Councillor to ask a question on any matter as described therein, where the Chairman and the Monitoring Officer are satisfied that the circumstances giving rise to the question have arisen after the date specified and that the matter is of genuine urgency, and provided that the question is received in writing by 12 noon on the day before the Council meeting.
- (5) Questions asked under Standing Order 28(4) above shall not be subject to the time limit at each Council meeting for questions from Councillors, specified in Standing Order 28(12) below.
- (6) Questions shall be asked in the order received and included on the Council agenda by the Head of Legal and Democratic Services, but the order can be varied in exceptional circumstances by the Chairman with the consent of the Council.
- (7) The Councillor shall ask the question him/herself. If the Councillor is not present at the meeting when the Chairman invites him/her to ask the question, the question shall not be asked and shall receive a written reply. Any such written reply will be circulated to all Councillors.
- (8) The Councillor shall ask the question, as set out in the agenda, without making an introductory or explanatory speech.
- (9) Any such question may, at the invitation of the Chairman, be answered by the following as appropriate:
 - (a) the Leader or a Cabinet/Lead Member;
 - (b) another Councillor nominated by the Leader or Cabinet/Lead Member.
- (10) There shall also be a time limit of five minutes for each answer given orally to a question from a Councillor.
- (11) Once the question has been answered the councillor asking the original question may ask a supplementary question on the same topic without making an introductory or explanatory speech.
- (12) The time limit at each Council meeting for questions from Councillors under Standing Order 28 is thirty minutes but this can be extended for a short period at the Chairman's discretion.
- (13) If questions are not answered within the time limit set out in Standing



Order 28(12) above, the Head of Legal and Democratic Services will arrange for the Councillor who submitted the question to receive a written reply. Any such written reply will be circulated to all Councillors.

Councillor Questions on Cabinet and Committee Reports

- 29.** In relation to a report which appears on an agenda, any Councillor may ask the relevant Cabinet Member or Committee Chair questions on that Report. Where practicable, the Councillor should give notice to the Chief Executive of his/her intention to refer to that matter.

Motions and Amendments

(In this section, all references to Motions refer equally to Amendments unless otherwise specified)

Scope of Motions

- 30.** Motions must be:
- (a) about matters for which the Council has a responsibility or which directly affect the Council's area.
 - (b) concise, clear and to the point
 - (c) positive, that is require the Council to adopt a course of action

Motions which may be Moved without Notice

- 31.** The following Motions may be moved without Notice:
- (a) appointment of a Chairman of the meeting at which the Motion is made;
 - (b) relating to the accuracy of the Minutes;
 - (c) that an item of business specified in the Agenda shall have precedence;
 - (d) to adopt recommendations of the Cabinet, a Committee or an Executive Director submitted to the Full Council for decision;
 - (e) to refer back a recommendation of a Committee, the Cabinet or an Executive Director;
 - (f) that a Motion be withdrawn or amended;
 - (g) any of the matters referred to in Standing Order 24 (Suspension of Standing Orders), Standing Orders 45(4) and 45(5) (Voting) or Standing Order 44(1) (Closure of debate);



- (h) to exclude the public and press in accordance with the Access to Information Rules; and
- (i) that a Councillor be suspended from the meeting Standing Orders 12(1) and (2) above - Interruption by a County Councillor);

32. If any Councillor wishes to move a Motion under this paragraph he/she must first specify the Motion, and in the case of a Motion under Standing Order 31.1 (f) above, shall immediately after speaking hand the Motion in writing to the Chief Executive.

Motions which cannot be Moved

33. The following motions shall not be accepted by the Chief Executive:

- (a) any Motion which seeks to rescind any resolution or decision which has been passed at a meeting of the Full Council held within the preceding 12 months.
- (b) any Motion which has been voted upon, but not carried within 6 months of the date of the meeting of the Full Council at which it, or one to the same effect, was voted upon.
- (c) any Motion which would require the Council to act in breach of its own Constitution or legislation
- (d) any Motion which requires the Council to act in a way that is beyond its powers and responsibilities.
- (e) is vague and ambiguous.
- (f) merely expresses an opinion and does not require the Council to adopt a course of action.
- (g) any Motion which has been withdrawn at the request of the mover or which has failed for not being moved within the last 6 months.

Withdrawal of Motion which is before the Council

34. A Notice of Motion will be regarded as withdrawn if:

- (a) prior to the Council meeting, an indication to this effect is given in writing to the Chief Executive by the Member who submitted the Notice, or
- (b) at the Council meeting, oral notice to this effect is given by the Member who submitted the Notice before the Motion is moved, or



- (c) the Notice of Motion is not moved and seconded at the meeting of Council.

Once moved, a Motion may only be withdrawn with the consent of the meeting. If the mover requests their Motion be withdrawn, the request shall be voted on immediately, with no debate.

Motions not dealt with

- 35. Any Motion which has not been disposed of at any Full Council meeting shall be dealt with at the next meeting of the Full Council unless withdrawn by the original mover.

Submission of Notice of Motion in Writing and Ruling of the Chief Executive

- 36. (1) Notice of every Motion, other than a Motion referred in Standing Order 31 above, shall be given in writing, signed by the Councillor(s) giving the Notice, and delivered to the Chief Executive no later than 12 noon at least seven clear working days before the meeting of the Full Council. For example, if the meeting is on a Thursday, the question must be received in writing by 12 noon on the Monday of the preceding week.
- (2) The Chief Executive will consider the Notice of Motion submitted in accordance with Standing Order 36(1) above and, subject to Standing Order 36(3) below, include the Motion in the agenda in the order in which they have been received. The Chairman may alter the order in which they are discussed at the meeting.
- (3) The Chairman may on the advice of the Chief Executive rule that a Notice of Motion is out of order.
- (4) If a Notice of Motion is ruled out of order the Councillor who gave the notice shall be notified by the Chief Executive and the Notice shall be brought to the attention of Full Council.
- (5) Any Notice of Motion which is received after the specified time at Standing Order 36(1) above, may only be considered if the Chairman of the meeting agrees by reason of special circumstances which shall be specified in the Minutes.
- (6) A councillor may only submit one Notice of Motion per meeting.
- (7) A maximum of four Notices of Motion may be permitted per meeting. Additional motions submitted above this number will not be accepted, and will not automatically be dealt with at the next meeting.

Speaking on Motions

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- 37.** (1) Councillors may only speak on a matter which appears in the Agenda or in respect of a matter at meetings of the Full Council on which a Notice of Motion has been properly registered.
- (2) No Councillor shall speak more than once on each Motion, except:
- (a) to speak once on an Amendment moved by another Member;
 - (b) if the motion has been amended since he/she last spoke, to move a further Amendment;
 - (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 referring to the specific Procedure Rule;
 - (f) by way of personal explanation of any material statement made by him/her which he/she believes to have been misunderstood; or
 - (g) to move one of the motions specified in Standing Orders 10(2), 24 and 44 when the procedure in those paragraphs shall be followed.
- (3) When a Councillor speaks, he/she must confine his/her remarks strictly to the Motion then under discussion.
- (4) A councillor may, during his or her speech, move an amendment to a motion, subject to Standing Orders 39 and 40 below. Moving an amendment is considered to constitute a speech.
- (5) No Councillor may speak on a Motion after the mover has indicated that he/she wishes to withdraw the Motion in accordance with Standing Order 34 above.

Length of speeches and debates

- 38.** (1) No speech at Full Council shall exceed 5 minutes except:
- (a) When moving a report
 - (b) When the Cabinet Member with responsibility for Finance presents his or her budget



- (c) When Opposition Group Spokespersons present their budget proposals.
 - (d) When making any speech, other than to move the original motion, on a Notice of Motion, including moving an amendment, when no speech shall exceed 3 minutes
- (2) Where the length of a speech is subject to a time limit, the councillor speaking shall receive notification of one minute remaining before he/she has to finish speaking.
 - (3) The following will apply to the debate on Motions of which notice has been given under Standing Order 36(1) above or Notices of Motion accepted by the Chairman, under Standing Order 36(5) above, as an urgent item of business:
 - (a) there will be a maximum time limit of 30 minutes per motion and any amendments thereto;
 - (b) the maximum length of time for the consideration of all such motions at a meeting will be 120 minutes;
 - (c) the Chairman may extend the limits at 38 (3) (a) and (b) above in a particular case.
 - (4) All timings of speeches are at the discretion of the Chairman and his/her decision is final.

Moving and Seconding of Motions

- 39.** (1) Every Motion must be moved and seconded before any debate can take place.
- (2) 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.
- (3) An Amendment must be relevant to the Motion and shall either be:
 - (a) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (b) to leave out a word or words;
 - (c) to leave out a word or words and insert or add others, or to insert a word or words.



as long as the effect of leaving out and/or inserting a word or words does not amount to a direct contradiction of, or have the same effect as voting against, the motion.

- (4) The following amendments will not be accepted – those that
 - (a) propose such a substantial alteration of the motion as to make it a new motion
 - (b) are vague, vexatious or obstructive so as to impede the proper transaction of council business
 - (c) are irrelevant, bearing no relation to the original motion
 - (d) introduce a new topic
- (5) Any Councillor may second a Motion, reserving his/her speech for a later period of the debate.

Amendment Carried to Become Substantive Motion

40. (1) If an Amendment is carried, the Motion, as amended, takes the place of the original Motion and becomes the substantive Motion. The mover of the Amendment has the right to reply in accordance with Standing Order 43(1) and (2) below.
- (2) After an amendment has been carried, the Chairman will read out the amended Motion before accepting any further amendments.

Subsequent Amendments

41. If the first Amendment is lost, then subsequent Amendments may be moved to the original Motion.

Friendly Amendments

42. The mover of a Motion may amend or accept an Amendment without debate or vote. The amended Motion automatically becomes the substantive Motion, and the mover of the original motion retains the right to reply in accordance with Standing Order 43(1) and (2) below.

Right of Reply

43. (1) The mover of a Motion has a right of reply at the end of the debate on the motion immediately before it is put to the vote.
- (2) 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.



- (3) The mover of the Amendment has no right of reply to the debate on his or her Amendment.

Closure of Debate

44. (1) A Councillor may move without comment the following procedural motions at the end of a speech of another Councillor:
 - (a) “That the question be now put”;
 - (b) “That the Full Council proceed to the next business”;
 - (c) “That the debate be adjourned”;
 - (d) “That the Full Council adjourn”;
- (2) If a motion that the question be now put is seconded and the Chairman considers 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 the motion to the vote.
- (3) If a motion to proceed to the next business is seconded and the Chairman considers the item has been sufficiently discussed, he/she give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (4) 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.

Voting

45. (1) Votes shall be by show of hands or by affirmation of the meeting.
- (2) Subject to Standing Order 45(3) below, any matter will be decided by a simple majority of Councillors (and Co-opted members) entitled to vote and present in the room at the time the question was put.
- (3) At a Full Council meeting Councillors must be in their designated seats for their vote to be counted.
- (4) Any six Councillors may request a named vote and shall signify their wish for a named vote by rising in their places. The names for and against and those abstaining shall then be taken down in writing and recorded in the minutes.



- (5) Immediately after a vote is taken any Councillor may request that it is recorded in the Minutes of that meeting how he/she voted, or abstained from voting.
- (6) The Chairman shall have, in case of equality of votes, a second or casting vote.
- (7) In accordance with the Local Government (Standing Orders) (England) (Amendment) Regulations 2014 there must be a recorded vote on decisions taken at the Budget meeting of the Council, or at any meeting where making the calculation or issuing the precept is included as an item of business. Immediately after any vote is taken there must be recorded in the minutes the names of the Councillors who cast a vote for or against the decision or who abstained from voting.

