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 Cabinet. It will carry out some functions itself, but others will be delegated to Committees or named Officers.

4.2 The Policy Framework

The Policy Framework means the following plans and strategies:

(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 Cabinet.

4.3 **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 16** for how the Council can change the Policy Framework or Budget referred to it for approval by the Cabinet).

4.4 **Housing Land Transfer**

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Welsh Ministers for approval of a programme of disposal of 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.

4.5 **Functions of the Full Council**

Only the Full Council will exercise the following functions:

4.5.1 adopting and changing the Constitution;

4.5.2 approving or adopting the Single Integrated Plan, Policy Framework, the budget and any application to the Senedd Cymru in respect of any Housing Land Transfer;

4.5.3 subject to the urgency procedure contained in the Access to Information Procedure Rules in **Section 15** of this Constitution, making decisions about any matter in the discharge of an 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;

4.5.4 appointing and removing the Leader(s) in accordance with Standing Orders – see **Section 5.3**;

4.5.5 approving the appointment or dismissal of the Chief Executive, and the determining of the remuneration of any Chief Officer;

4.5.6 making or confirming the appointment of the Chief Executive;

4.5.7 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;

4.5.8 performing the corporate joint committee functions set out in Section 11 of this Constitution, including the making of a corporate joint committee application and the giving of consent to corporate joint committee regulations being made;

4.5.9 changing the name of the area or conferring the title of freedom of the County Borough;

4.5.10 making, amending, revoking re-enacting or adopting bye-laws and promoting or opposing the making of local legislation or Personal Bills;

4.5.11 all Local Choice Functions set out in **Section 14** of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet;

4.5.12 consulting local people, other persons carrying on a business in the Council's area, the officers of the Council and every trade union which is recognised by the Council about the extent to which the Council is meeting its performance requirements;

4.5.13 preparing an annual report on the extent to which the Council has met its performance requirements;

4.5.14 keeping under review the extent to which:

(a) It is exercising its functions effectively;

(b) using its resources economically, efficiently and effectively; and

(c) its governance arrangements are effective for securing the matters set out in (a) and (b) above;

4.5.15 Approving, reviewing and amending the Council's Petition Scheme;

4.5.16 To respond to Independent Panel Performance reports into which the Council is meeting its performance requirements;

4.5.17 considering Chief Executive reports prepared pursuant to section 54(2)(b) of the Local Government and Elections (Wales) Act 2021, within 3 months of them being made;

4.5.18 To consider annual reports produced by the Council's Standards Committee; and

4.5.19 all matters which by law must be reserved to the Council (e.g. appointing the Chair of the Democratic Services Committee and approving the Pay Policy Statement).

4.6 **Membership**

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

4.6.2 Chairing the Council

(a) The Councillor elected annually by the Council as its Chair 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.

4.6.3 Role and Function of the Chair ("Mayor")

The Chair of the Council and in his/her absence, the Vice-Chair ("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 Chair*

(i) to uphold and promote the purpose of the Constitution, and to interpret the Constitution when necessary;

(ii) to preside over meetings of the Council so that its business can be carried out fairly and efficiently and with regard to the rights of Councillors and the interests of the Community;

(iii) to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Members who are not on the Cabinet are able to hold the Cabinet and Committee Chairs to account;

(iv) to promote public involvement in the Council's activities;

(v) to 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.

4.7 Council Meetings

There are three types of Council meeting:

4.7.1 the annual meeting;

4.7.2 ordinary meetings; and

4.7.3 extraordinary meetings.

4.8 Rules of Procedure and Debate

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

4.9 Council Procedure Rules – Annual Meeting of the Council

4.9.1 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 Chair and Vice-Chair of the Council are not present;

(b) elect the Chair of the Council;

(c) elect the Vice-Chair of the Council;

(d) receive any announcements from the Chair, the Chief Executive and Cabinet Members;

(e) elect the Leader(s) of the Council (see **Section 5.3**);

(f) be told by the Leader(s) the name of the Member chosen to be Deputy Leader(s) and the number and names of Members to be appointed to the Cabinet 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 14** 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.

4.9.2 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 Cabinet.

4.10 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:

4.10.1 elect a person to preside if the Chair and Vice-Chair are not present;

4.10.2 approve the minutes of the last meeting;

4.10.3 receive any declarations of interest from Members;

4.10.4 receive any announcements from the Chair, Leader(s), members of the Cabinet or the Chief Executive and to receive petitions;

4.10.5 receive questions from, and provide answers to, the public in accordance with the Council's published procedure;

4.10.6 receive reports from the Cabinet and the Council's Committees and receive questions and answers on any of those reports;

4.10.7 receive reports about and receive questions and answers on the business of joint arrangements and external organisations;

4.10.8 consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's Budget and Policy Framework, Single Integrated Plan and reports of the Scrutiny Committees for debate;

4.10.9 consider motions; and

4.10.10 deal with questions from Members in accordance with **Rule 4.18.**

4.11 Extraordinary Meetings

4.11.1 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 Chair of the Council;

(c) the Monitoring Officer;

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

4.11.2 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 and Members' Declarations of Interest and with no consideration of previous minutes from Council.

4.12 Time and Place of Meetings

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

4.13 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 15.** At least five clear days (which includes weekends) 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.

4.14 **Chair of Meeting**

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

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

4.16 **Remote Attendance**

The Multi-Location Meetings Policy can be found here.

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 Cabinet or Committees

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

4.18.2 Questions on Notice at Full Council

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

(a) the Chair of the Council;

(b) a Member of the Cabinet;

(c) the Chair of any Committee or sub-committee;

a question on any matter in relation to which the Council has powers or duties or which affects the 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 Chair 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 at least ten clear days' (which includes weekends) notice in writing to the Proper Officer prior to the day of the meeting at which the question is to be asked; or; or

(b) if the question relates to urgent matters, they have the consent of the Mayor or Member to whom the question is to be put and the content of the question is given to the Proper Officer by no later than 12.00 noon on the day of the meeting.

Any question from a Member who is a member of a group shall also be countersigned by that Group Leader or in her/his absence the Group's Secretary prior to the submission to the Proper Officer.

4.18.5 Maximum Number of Questions

The maximum number of questions to be considered at a Council meeting under Rule 4.19.2 shall not exceed 30. Each political group and Independent members who are not members of a political group recognised by the Council shall have an entitlement and allocation of questions proportionate to their representation on the Council.

4.18.6 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 of political groups in proportion to their representation on the Council followed by those Members who are not members of any political group recognised by 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 provided and provision for supplementary questions and further replies will then ensue (see **Rule 4.18.5**).

Group Leaders will decide in which order their Group questions will be dealt with by notifying the Proper Officer no later than the working day prior to the Council agenda being dispatched.

Questions will be answered as follows:

In the first round, each political group shall be entitled to ask one question. Any Members who are not members of a political group recognised by the Council shall be entitled to ask their question (in the order of receipt).

This order will continue for subsequent rounds subject to Rule 4.18.9.

4.18.7 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.

4.18.8 Supplementary Question

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

4.18.9 Time Allowed for Questions at Council Meetings

(a) The time allowed for consideration of questions submitted under Rule 4.18.2 or 4.18.3 and any resulting supplementary questions arising under Rule 4.18.8 shall not, without the consent of the Council, exceed forty five minutes.

(b) At the conclusion of the answer to the question under consideration at the expiry of forty five minutes, the Mayor shall conclude the time allocated for question.(c) Any questions which remain unanswered will be addressed in writing and these will be appended to the Minutes of the meeting.

(d) Any unanswered questions will not be carried over to the next Council meeting.

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 (which includes weekends) 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 A maximum of thirty minutes shall be allowed for the debate on each Ordinary Motion, unless one or more amendments are moved, in which case the time allowed shall be extended to forty five minutes.

4.19.3 Regardless of 4.19.2, the Mayor shall have the absolute discretion to extend the time period to no more than forty five minutes.

4.19.4 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.

4.19.5 Number of Ordinary Motions

The number of Ordinary Motions shall be limited to a maximum of two Motions at each Council Meeting where Ordinary Motions may be considered.

4.19.6 If more than the maximum number of Motions permitted under paragraph 4.19.5 above are submitted for a particular Council meeting, the Mayor shall decide which Motions are to be taken, following consultation with the relevant political Group Leaders. Factors to be considered in selection Motions shall include the urgency of the Motion (whether it may reasonably be taken at a later meeting); the order in which Motions were submitted; whether a Motion has been put back from a previous Council meeting; any policy, budget or other significance to the Council.

4.19.7 Motions not Moved

If a Motion set out in the summons is not moved either by a Member who gave notice or by some other Member on his/her behalf it shall at the meeting, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

4.19.8 When a Motion is passed, these will be monitored on an annual basis to support good governance, ensure the appropriate actions are being taken, and that the desired impact is being achieved because of the Motion.

4.19.8 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 Chair 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 Chair may require it to be written down and handed to him/her before it is discussed.

4.21.3 Seconder'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 Chair.

4.21.5 When a Member may Speak Again

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

(a) to speak once on an amendment moved by another Member;

(b) to move a further amendment if the motion has been amended since he/she last spoke;

(c) if his / her first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);

(d) in exercise of a right of reply;

(e) on a point of order; and

(f) by way of personal explanation.

4.21.6 Amendments to Motions

(a) An amendment to a motion must be relevant to the motion and will either be:

(i) to refer the matter to an appropriate body or individual for consideration or reconsideration;

(ii) to leave out words;

(iii) to leave out words and insert or add others; or

(iv) to insert or add words

as long as the effect of (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 Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

4.21.7 Alteration of Motion

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

(b) A Member may alter a motion which he/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 Chair 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 Chair 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 Chair thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

4.21.12 Point of Order

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

4.21.13 Personal Explanation

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

4.22 **Previous Decisions and Motions**

4.22.1 Motion to Rescind a Previous Decision

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 Chair's Casting Vote

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

4.23.3 Method of Voting

Unless a ballot or recorded vote is demanded under **Rule 4.23.4** or **Rule 4.23.5**, the Chair 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 Chair will announce the numerical result of the ballot immediately the result is known.

4.23.5 Recorded Vote

A Member present at the meeting may ask for the names for and against the motion or amendment or abstaining from voting to be taken down in writing and entered into the minutes. A request 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 Chair will sign the minutes of the proceedings at the next suitable meeting. The Chair will move that the minutes of the previous meeting be signed as a correct record. The only 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 Chair 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 15** 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 Chair) and address the meeting through the Chair. If more than one Member signifies their intention to speak, the Chair 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.

N.B. The Council Procedure Rules have been amended so that Members do not need to stand when addressing Annual Meetings and Full Council Meetings when held remotely. (Confirmed via the Chief Executive's Emergency Powers on 1st October, 2020.)

4.26.2 Chair Speaking

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

4.26.4 Member to Leave the Meeting

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

4.26.5 General Disturbance

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

4.27 **Disturbance by Public**

4.27.1 Removal of Member of the Public

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

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 Chair 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

Different Types of Family Absence

4.30.1 A Member may be entitled to family absence pursuant to the Local Government (Wales) Measure 2011, subject to compliance with the Family Absence for Members of Local Authorities (Wales) Regulations 2013 ("the Regulations"), as amended by the Family Absence for Members of Local Authorities (Wales) (Amendment) Regulations 2021, as follows:

(a) Maternity absence – for the mother of a child, granted up to a maximum of twenty six weeks;

(b) Newborn absence – for the parent of a child other than the mother, for a period of up to two weeks;

(c) Adopter's absence – for the adopter of a child, for a period of up to twenty six weeks;

(d) New adoption absence - for the partner of an adopter, for a period of up to two weeks; and

(e) Parental absence – for a Member who becomes responsible for a child (and does not meet the conditions for newborn absence,

adopter's absence or new adoption absence), for a period of up to three months.

4.30.2 Prescribed Conditions

The Regulations prescribe the conditions that Members must satisfy to be entitled to each type of family absence, make provisions regarding the durations, start, cancellation and end of periods of family absence, and set out the administrative process for dealing with family absences. A copy of the Regulations can be obtained from the Council's Head of Democratic Services and must be referred to by any Member considering taking family absence.

4.30.3 Requirement for Member to give Written Notice

A Member intending to take family absence is required to give written notice to the Head of Democratic Services, specifying the type of family absence the Member intends to take and the intended start date, as well as certain other specified information in respect of particular types of family absence. Any changes to, or cancellation of, family absence must similarly be notified to the Head of Democratic Services. Members should refer to the Regulations for the prescribed information which must be included in the notice, and advice is available in this respect from the Head of Democratic Services.

4.30.4 Records and Notification of Family Absence

The Head of Democratic Services will keep a record of all notifications and periods of family absence taken and will inform the Mayor, the Chair of the Democratic Services Committee, and the leaders of each political group, and other recognised group, of the authority. The Head of Democratic Services may also inform any other persons, as he / she considers necessary, for example, fellow ward Members.

4.30.5 Cancellation of Family Absence by Council

4.30.5.1 If the Head of Democratic Services reasonably suspects that a Member may not be entitled to the family absence notified, he / she shall inform the Monitoring Officer. The Monitoring Officer may cancel or end a Member's family absence if he / she is of the view that the Member is not entitled to such absence in accordance with the Regulations.

4.30.5.2 In the event of a decision to cancel family absence, the Head of Democratic Services will give written notice to the Member concerned setting out the decision to cancel or bring to an end the period of family absence, and the date from which the Member must return from family absence. If the Member then fails to resume duties, the Council may

withhold the Member's remuneration and take any other appropriate action.

4.30.6 Members' Right to Appeal against Cancellation

(a) A Member may, within 28 days from being notified of a cancellation of family absence, complain in writing to the Head of Democratic Services regarding the cancellation.

(b) The Head of Democratic Services will refer any complaint duly made regarding cancellation to the Mayor (or in his / her absence the Deputy Mayor).

(c) The Member's complaint will be considered by a Panel constituted in accordance with the Family Absence for Members of Local Authorities (Wales Regulations 2013), which may either confirm the decision of the Monitoring Officer, or substitute its own decision as to the Member's entitlement to family absence in accordance with the Regulations.

(d) The decision of the Panel is final.

4.30.7 Performance of Duties – At Member's Request

4.30.7.1 A Member on maternity absence or parental absence may, subject to paragraphs 4.30.7.2 to 4.30.7.6:

(a) Attend particular meetings;

(b) Attend particular descriptions of meetings;

(c) Perform particular duties; or

(d) Perform duties of a particular description.

4.30.7.2 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.

4.30.7.3 The Mayor (or in his / her absence the Deputy Mayor) will inform the leaders of each political group of the Council before granting permission under paragraph 4.30.7.2.

4.30.7.4 A Member may complain in writing to the Head of Democratic Services regarding a refusal under paragraph 4.30.7.2.

4.30.7.5 The Head of Democratic Services will refer a complaint under paragraph 4.30.7.4 to the Mayor (or in his / her absence the Deputy Mayor).

4.30.7.6 A Panel constituted in accordance with the Family Absence for Members of Local Authorities (Wales Regulations 2013) will determine a complaint made under paragraph 4.30.7.4.

4.30.7.7 The Panel may:

(a) confirm the decision of the Mayor (or in his / her absence the Deputy Mayor) under paragraph (2); or

(b) substitute its own decision as to the Member attending any meeting or performing any duty.

4.30.8 Continuing Duties

4.30.8.1 If a Member is on family absence leave and it would be difficult to replace that Member on a temporary basis, the Chair of Council can request that Member to attend a meeting if it might otherwise be inquorate.

4.30.8.2 A Member on family absence is expected to continue to observe and comply with any duties under the Members' Code of Conduct which remain applicable, including the duty to not bring the office of Member or the Council into disrepute and the duty to not use their position or the resources of the authority improperly or for private advantage (paragraphs 19.2.6. and 19.2.8 of Members' Code of Conduct, Council's Constitution).

4.30.9 Members' Allowances

In accordance with the determinations of the Independent Remuneration Panel for Wales, a Member on family absence is entitled, for the duration of the absence, to retain a basic salary and any senior salary for which the Member is eligible

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 Cabinet. Only Rules 4.13 – 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.

4.32 Remote Meetings Procedure Rules

These Remote Meetings Procedure Rules have been adopted by the Council and have been made in compliance with Section 47 of the Local Government and Elections (Wales) Act 2021.

4.32.1 The Council operated a MLM policy i.e. a meeting solution that enables persons who are not in the same place to attend meetings, both physically and remotely. Meetings of the Council that are open to the public will be held via this method and the Council's website will provide details of accessibility.

4.32.2 Time and place – Meetings will be held at the time notified in the agenda but may be held in more than one place and may include electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

4.32.3 Notice of meetings – At least five clear working days (which includes weekends) before a meeting, save in cases of urgency and/or where following such notice the meeting is moved or cancelled, the Chief Executive (or Deputy in his/her absence) will send an agenda by electronic means to every Councillor of the Council or relevant body. The agenda will give the date and time of each meeting together with the details for remote or hybrid access.

4.32.4 At such time as sending the notice of the meeting and the agenda, the relevant officer shall arrange for the notice of the meeting and the agenda together with copies of such reports as are available to be published on the Council's website.

4.32.5 Where a report becomes available after publication of the notice and agenda, the relevant officer shall send it electronically to all Councillors and arrange for a copy to be published on the Council's website as soon as practicable.

4.32.6 Quorum – The number of Councillors required to be present for a quorum for a meeting shall be as set out in the Constitution. However, for the purposes of determining whether a quorum of Councillors is present at a meeting the Mayor/Chair shall include all those Councillors in remote attendance. If at any time during the meeting the Mayor/Chair counts the number of Councillors present and declares that there is not a quorum present, the meeting will adjourn immediately. The remaining business will be considered on a date and time set by the Chief Executive in consultation with the Mayor/Chair and the Leader(s) of the Council.

4.32.7 Declaration of Interests – A Councillor who would ordinarily be required to leave the room during the consideration of an item of business due to the Councillor having a disclosable prejudicial interest or to having such other interest as the Council's Code of Conduct may require the Councillor to do so, shall be deemed to have done so if the Councillor disconnects their remote access and remains disconnected until such time as the Mayor/Chair invites the Councillor to re-join the meeting.

4.32.8 Discussion of confidential business and disclosure of exempt information - Where a motion is passed to exclude the public and press from the meeting due to the discussion of confidential business or exempt information, the right of the public and the Press to see or see and hear, the meeting shall cease and their electronic access will be disconnected and in the case of physical attendance at a Council meeting be asked to vacate the room.

4.32.9 Conduct during meetings – Councillors in remote attendance or any member of the public exercising a right to speak in remote attendance shall only speak when called upon to do so by the Mayor/Chair and shall cease to speak when told to so by the Mayor/Chair.

N.B. This Procedure is in addition to the Council's Procedure Rules as contained within the Council's Constitution and to the Remote Meeting Procedures agreed under the use of the Chief Executive's Emergency Powers (formerly known as Managing Director's Emergency Powers) in 2020 and updated in March 2023.

4.33 Electronic Broadcasts of Meetings

Ordinary meetings of the Council will be broadcast live with electronic links directing viewers available on the Council's website so that members of the public not in attendance at the meeting can see and hear the proceedings. Copies of the meeting will be available for six years after the meeting.