

West Suffolk Shadow Council

Shadow Council Procedure Rules

1. First Meeting of the Shadow Council

- 1.1 The first meeting will:
- (i) Elect the Chairman of the Shadow Council.
 - (ii) Receive any announcements from the Chairman.
 - (iii) Elect the Vice Chairman of the Shadow Council.
 - (iv) Receive any announcements from the officer advising the Chairman, including apologies for absence.
 - (v) Appoint members of the Shadow Executive.
 - (vi) Appoint the Leader and Deputy Leader of the Shadow Council from the members of the Shadow Executive.
 - (vii) Designate the interim Statutory Officers (Head of Paid Service, Monitoring Officer, Chief Finance Officer).
 - (viii) Agree the Constitution, to include the Members' Code of Conduct, Rules of Procedure and Scheme of Delegation.
 - (ix) Appoint the Council's Independent Persons.
 - (x) Consider any other business set out in the notice convening the meeting.
- 1.2 Ordinary meetings of the Shadow Council will take place in accordance with the approved Calendar of Meetings, commencing at 6.30 pm or at any other time in accordance with the approved Calendar of Meetings.
- 1.3 Meetings will usually take place at the Shadow Council's Offices in Bury St Edmunds, but may take place at other venues with the agreement of the Chairman.
- 1.4 There are three types of Shadow Council Meetings, Ordinary meetings, Extraordinary Meetings and Special meetings. These are dealt with in more detail below.
- 1.5 Notice of all meetings of the Shadow Council will be given to the public by the Interim Monitoring Officer in accordance with the Access to Information Rules five clear working days before the date of the meeting. Notice by summons will also be given by the Interim Monitoring Officer to each member of the Council in the manner prescribed in the Access to Information Procedure rules. The summons shall contain the date, time and place of each meeting, specify the business to be transacted and be accompanied by such reports that may be available.
- 1.6 The Interim Monitoring Officer is authorised to cancel a meeting where the agenda has already been issued if it considered expedient. Before exercising this authority, the Interim Monitoring Officer will consult with the Chairman and the Leader of the Shadow Council. Any outstanding

business will be held over to the next ordinary meeting or an extraordinary meeting on a date to be arranged.

- 1.7 The Shadow Council may make audio and/or visual recordings of meetings and broadcast or otherwise make them available to the public on its website or by other means.

2. Ordinary meetings of the Shadow Council

- 2.1 Ordinary meetings of the Shadow Council will usually take place at 6.30 pm but may take place at any other time in accordance with the programme previously approved. The starting time of an ordinary meeting may be changed before the publication of the agenda by agreement of the Leader and Chairman.

- 2.2 Unless changed in accordance with Rule 2.3 below, the order of business at every ordinary meeting of the Shadow Council, will be:-

- (a) to elect a person to preside if the Chairman and Vice Chairman are not present;
- (b) to deal with any business required by law to be dealt with first;
- (c) to confirm as a correct record and sign the minutes of the last meeting of the Shadow Council, except that minutes of a special meeting or an extraordinary meeting of the Shadow Council will be submitted for confirmation to the next ordinary meeting of the Shadow Council;
- (d) the Chairman's announcements;
- (e) to receive any announcements from the officer advising the Chairman (including apologies for absence);
- (f) declarations of interests;
- (g) the Leader's report and questions thereon in accordance with Rules 8.1 – 8.3 below;
- (h) to receive and answer questions from members of the public in accordance with Rule 6 below;
- (i) to receive, and when appropriate debate, any petitions in accordance with the Petition Scheme attached as Appendix A to these rules;
- (j) to deal with any business remaining from the last Council meeting in accordance with Rules 5.2 and 11.11(c);
- (k) receive reports and any recommendations from the Shadow Executive and the Forest Heath District Council or St Edmundsbury Borough Council Scrutiny committees;
- (l) to consider any other business specified in the summons to the meeting
- (m) to consider any motions under Rule 9 in the order in which they are received;
- (n) to answer any questions received under the terms of Rules 8.4 – 8.8.

- 2.3 The order of business (except for items (a), (b) and (c) of Rule 2.2 of these Rules) may be changed:-

- (a) before or at a meeting, as the Chairman sees fit; or
- (b) by a resolution of the meeting passed on a motion under Rule 9 or Rule 10.1(c).

3. Special and extraordinary meetings of the Council

Calling Special or Extraordinary Meetings

- 3.1 An extraordinary meeting is one that is additional to the scheduled ordinary meetings and is called to deal with matters that cannot conveniently be dealt with at one of those meetings. A special meeting is one called for a specific and unusual purpose.

Those listed below may request the Interim Monitoring Officer to call Shadow Council meetings in addition to ordinary meetings:-

- (a) the Shadow Council by resolution;
- (b) the Chairman;
- (c) the Interim Head of Paid Service
- (d) in accordance with paragraph 3 of Schedule 12 of the Local Government Act 1972 (as amended), any 7 Members of the Shadow Council if they have signed a requisition presented to the Chairman and they have refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

Business

- 3.2 Special or extraordinary meetings will:-

- (a) elect a person to preside if the Chairman and Vice Chairman are not present;
- (b) receive any declarations of interest;
- (c) (at extraordinary meetings only) receive and answer questions from members of the public in accordance with Rule 6 and limited to the subject matter of the business to be transacted at the meeting; and
- (d) deal with the business for which the special or extraordinary meeting was called.

- 3.3 No other business will be dealt with at a special meeting or an extraordinary meeting of the Shadow Council.

4. Appointment of members of shadow committees and substitutes

- 4.1 Where the Shadow Council has formed committees to discharge its functions, then it shall appoint members to those committees in accordance with the requirements of the Local Government and Housing Act 1989 regarding political balance.

As well as allocating seats on committees, the Shadow Council may allocate seats in the same manner for substitute members. Substitute members must be from the same political group as the absent member. If a substitute member cannot be found from the list of prescribed

substitutes, a temporary substitute may be appointed by the Interim Monitoring Officer on receipt of the prescribed form authorised by the relevant group leader. In the case of the full member not being in a group, the full member seeking a substitute will authorise the form. Substitutes cannot be appointed for the Shadow Executive.

- 4.2 When the Shadow Council (or a Shadow Committee) wishes to appoint substitutes to a Shadow Committee it will adhere to the rules of political proportionality, subject to the total number of substitutes being no more than half of the total number of Members of the Committee.
- 4.3 The powers and duties of substitutes are set out in the Committee Procedure Rules.

5. Quorum

- 5.1 If at the start of a meeting or during a meeting of the Shadow Council there are not at least 24 members present, the Chairman will adjourn the meeting.
- 5.2 Consideration of any business not dealt with will be adjourned to a date and time fixed by the Chairman or to the next ordinary meeting of the Shadow Council if a meeting is not fixed to consider the adjourned business.

6. Public question time

General

- 6.1 At each ordinary meeting of the Shadow Council, members of the public who live or work in the West Suffolk area may put questions about the work of the Shadow Council to members of the Shadow Executive. 30 minutes will be set aside for this. 30 minutes will also be set aside for questions at extraordinary meetings of the Shadow Council, which may be extended at the Chairman's discretion, but must be limited to the business to be transacted at that meeting.
- 6.2 A person who wishes to speak must register at least fifteen minutes before the time the meeting is scheduled to start. This can be done online by sending the request to democratic.services@westsuffolk.gov.uk or telephoning 01284 757176/01638 719363 or in person by telling the committee administrator present at the meeting.
- 6.3 Written questions, detailing the full question to be asked, may be submitted by members of the public to the Interim Monitoring Officer no later than 10.00 am on the previous working day to the meeting of the Shadow Council.

Order of questions

- 6.4 Questions will be asked in the order in which notice of them was received, except that the Chairman may group together similar questions.

Time limits

- 6.5 Each person may ask one question only. A total of five minutes will be allowed for the question to be put and answered, which may be extended at the Chairman's discretion. One supplementary question will be allowed provided that it arises directly from the reply and the overall time limit of five minutes is not exceeded. The member to whom the question is directed may refer it to another member or may choose to give a written response. A written response will be provided if the member to whom the question was directed is not present at the meeting and it cannot be answered by another member.
- 6.6 If no questions are received or all the questions are dealt with in less than 30 minutes, the Shadow Council will move immediately to the next business.

Scope of Questions

- 6.7 The Interim Monitoring Officer, in respect of any question notified before the meeting, or the Chairman, in respect of any question notified at the meeting, may reject a question if it:-
- (a) is not about a matter for which the Shadow Council has a responsibility or which affects the District;
 - (b) is defamatory, frivolous or offensive;
 - (c) is substantially the same as a question which has been put at a meeting of the Shadow Council in the past six months; or
 - (d) requires the disclosure of confidential or exempt information.

Record of Questions and answers

- 6.8 All questions and answers under Public Question Time will be summarised in the minutes of the meeting. The summary for rejected questions will include the reasons for rejection.

Written Answers

- 6.9 As well as being sent to the person asking the question, written answers will be distributed to all councillors and published on the Shadow Council's website.

7. Recording of Shadow Council meetings

- 7.1 The Shadow Council usually makes its own recording of Shadow Council meetings. All recordings should be retained for 12 months after the day of the meeting.
- 7.2 Arrangements for the public to film/record and for the use of social media at meetings are set out in the Access to Information Rules.

8. Questions by Members

On the Leader's Statement

- 8.1 At each ordinary meeting of the Shadow Council the Leader of the Shadow Council may submit a report (the Leader's Statement) summarising important developments and activities since the preceding meeting of the Shadow Council where these have arisen. These developments and activities will solely relate to the development of the Shadow Council, and matters related to the future West Suffolk Council.
- 8.2 The Leader will introduce the statement and members may ask the Leader questions on the content of both his introductory remarks and the written statement itself. All questions will be answered immediately by the Leader or by the relevant Shadow Executive Member if the Leader refers any question to him or her, unless sufficient information to give an answer is not available. In these circumstances the member asking the question will receive a response in writing within five working days of the Shadow Council meeting at which the question was asked. The response will be distributed to all members and published on the Council's website.
- 8.3 A total of 30 minutes will be allowed for questions and responses. There will be a limit of five minutes for each question to be asked and answered. The member asking the original question may put a supplementary question arising from the reply so long as the five minute limit is not exceeded.

Questions on notice at Shadow Council

- 8.4 Subject to Rule 8.5 below, a member may submit in writing to the Interim Monitoring Officer a question on notice for:-
- (a) the Chairman; or
 - (b) the Leader or any member of the Shadow Executive; or on any matter in relation to which the Shadow Council has powers or duties or which affects the administrative area of the Council, or part of it, or the inhabitants of that area. Ordinarily, members should seek not to ask questions on notice about matters that are properly the responsibility of Forest Heath District Council or St Edmundsbury Borough Council.
- 8.5 A Member may ask only one question on notice under Rule 8.4 at each Shadow Council meeting and:-
- (a) must submit it in writing to the Interim Monitoring Officer no later than noon seven working days before the meeting, not counting the day of the meeting; or
 - (b) if the question is urgent and the member has the consent of the member to whom the question is to be put, must submit it in writing to the Interim Monitoring Officer) by 11am on the day of the meeting.

- 8.6 Every question on notice will be answered without discussion. The member who is asked the question on notice may ask another member to answer. An answer may take the form of:-
- (a) a direct oral answer summarised in the minutes;
 - (b) where the desired information is in a publication of the Shadow Council or other published work, a reference to that publication; or
 - (c) where the reply cannot conveniently be given orally at the meeting, a written answer sent by the appropriate officer and/or relevant member to all members within five working days of the Shadow Council meeting.
- 8.7 A member asking a question on notice under Rule 8.4 may ask one supplementary question, without notice, of a member to whom the first question was asked. The supplementary question must arise directly from the original question or the reply. The total time allowed for each question, including any supplementary question, to be put and answered will be ten minutes.
- 8.8 If the member who gave notice of the question is not present at the meeting, any other member may ask that question but if that does not occur the Chairman shall proceed to the next item of business. The question shall be deemed to have been withdrawn and may not be asked unless notice is given again in accordance with Rule 8.4 above.

9. Motions which need written notice

- 9.1 Except for motions which can be moved without notice under Section 10 of these Rules, written notice of every motion must be delivered to the Interim Monitoring Officer no later than noon seven working days before the meeting, not counting the day of the meeting. Motions must be about matters for which the Shadow Council has a responsibility or which affect the administrative area of the Shadow Council or part of it or the inhabitants of that area.
- 9.2 Each member may put one motion on notice at each Shadow Council meeting.
- 9.3 All motions on notice received under Rule 9.1 will be set out in the agenda in the order in which they have been received.
- 9.4 A Member may withdraw a motion on notice at any time.
- 9.5 A motion on notice under Rule 9.1 can be moved at the meeting by any member. If the motion on notice is not moved, it will be treated as withdrawn and may not be moved without another notice in accordance with Rule 9.1 above.
- 9.6 Any motion on notice under Rule 9.1 on being moved and seconded, will usually, without discussion, be referred to the appropriate forum for consideration. The Chairman may, if they consider it appropriate, allow the motion to be dealt with at the meeting at which it is moved and

seconded provided that the motion, if carried, would not involve the Shadow Council in expenditure not included in the Shadow Council's approved revenue or capital budget.

10. Motions and amendments which may be moved without notice

10.1 The following motions and amendments 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 on the agenda;
- (d) to receive the reports or adopt the recommendations of the Shadow Executive or reports and recommendations of officers, and any consequent resolutions;
- (e) to refer something to an appropriate body or individual;
- (f) to appoint a Committee or Member arising from an item on the summons for the meeting;
- (g) to withdraw a motion;
- (h) to extend the time limit for speeches;
- (i) to amend a motion;
- (j) to proceed to the next business;
- (k) to vote on a motion;
- (l) to vote on an amendment;
- (m) to adjourn a debate;
- (n) to adjourn a meeting;
- (o) to suspend a particular Shadow Council procedure rule;
- (p) to exclude or re-admit the public and press in accordance with the Access to Information Rules;
- (q) to direct that a Member named under Rule 17.3 be not further heard or to exclude them from the meeting under Rule 17.4; and
- (r) to give the consent of the Shadow Council where its consent is required by this Constitution.

10.2 A motion by the Chairman under Rule 10.1(p) of these Rules, to exclude the public for an item of business, will be dealt with before any other motion on that item and will be voted on without discussion.

11. Rules of debate

11.1 No discussion until motion or amendment seconded

A motion or amendment will not be discussed or recorded in the minutes unless it has been proposed and seconded.

11.2 Motion may need to be in writing

If the Chairman requires, the motion will be put in writing before it is further discussed.

11.3 Secunder's speech

When seconding a motion or an amendment, a Member may reserve the right to speak at a later point in the debate.

11.4 **Content and length of speeches**

- 11.4.1 Speeches must be directed to the question under discussion or to a personal explanation or point of order.
- 11.4.2 No speech will be longer than five minutes, except as allowed by the Shadow Council following a motion moved and carried under Rule 10.1(h) and will be about the matter under discussion.
- 11.4.3 The five minutes time limit will not apply to a member proposing a motion, or an amendment to a motion, who will be allowed to speak for no longer than ten minutes.

11.5 **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 an amendment;
- (c) to move a further amendment (if the motion has been amended since they last spoke);
- (d) if their first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which they spoke was carried);
- (e) in exercise of a right of reply in accordance with Rule 11.9 of those Rules;
- (f) on a point of order in accordance with Rule 11.12 below; and
- (g) by way of personal explanation in accordance with Rule 11.13 below.

11.6 **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, forum, 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 cancel the effect of 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 consideration has been dealt with.
- (c) If an amendment is lost, other amendments to the original motion may be moved.
- (d) If an amendment is carried, the motion, as amended, will take the place of the original motion and will become the actual motion upon which any further amendment may be 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, before putting it to the vote.

11.7 Alteration of motion

A Member may, with the agreement of the Chairman and without discussion:-

- (a) change a motion of which they have given notice under Rule 9; or
- (b) with the agreement of their seconder, change a motion which they have moved;
- (c) but only alterations which could be made as an amendment in accordance with Rule 11.6(a) may be made.

11.8 Withdrawal of motion

- (a) A motion or an amendment may be withdrawn by the mover, but only with the consent of the seconder and the Chairman, which will be given without discussion.
- (b) No member may speak on the motion after the mover has asked for consent to withdraw it, unless consent is not given.

11.9 Right to 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 also has the right of reply at the end 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 or her amendment.
- (d) A reply under this paragraph will be confined to matters raised in the debate on the motion or amendment.
- (e) After every reply to which this rule refers, a vote will be taken without further discussion.

11.10 Motions which may be moved during a debate

11.10.1 When a motion is being discussed, no other motion may be moved except the following (non-closure) motions:-

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) that the subject of debate:-
 - (i) be referred to the appropriate forum for consideration; or
 - (ii) be referred back to the appropriate forum for further consideration.
- (d) to exclude the public and press in accordance with the Access to Information Rules; and
- (e) that a Member be not further heard in accordance with Rule 17.3.1 of these Rules; and
- (f) by the Chairman, in accordance with Rule 17.4.1 of these Rules, that a named Member leave the meeting.

11.10.2 Any of the motions under Rule 11.10.1 of these Rules will not take away from the mover of the original motion the right to reply.

11.11 Closure motions which may be moved during a debate

- (a) A Member may move, without comment, any of the following closure motions at the end of a speech of another member:-
- (i) to move to the next business;
 - (ii) that the question be put;
 - (iii) to adjourn the debate; or
 - (iv) to adjourn the meeting.
- (b) If a motion "*to move the next business*" or "*that the question be put*" is seconded and the Chairman thinks the item has been sufficiently discussed, they will put the closure motion to the vote. If it is passed, the Chairman will give the mover of the original motion a right of reply before putting that original motion to the vote.
- (c) 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, they will put the closure motion to the vote without giving the mover of the original motion the right of reply.

11.12 Point of order

- 11.12.1 A member may ask to make a point of order at any time and will have the right to be heard at once, but will stay silent until asked by the Chairman to speak.
- 11.12.2 A point of order will only be about a claimed breach of a provision of these Shadow Council Procedure Rules or of law; and the member will indicate the paragraph(s) or law and the way in which they consider it has been broken.
- 11.12.3 The ruling of the Chairman on the matter will be final and will not be open to discussion.

11.13 Personal explanation

- 11.13.1 A member may ask to give a personal explanation at any time and will have the right to be heard at once, but will stay silent until asked by the Chairman to speak.
- 11.13.2 A personal explanation will be confined to some material part of an earlier speech by the member which may appear to have been misunderstood in a later stage of the debate.
- 11.13.3 The ruling of the Chairman on the admissibility of a personal explanation will be final.

12. Previous decisions and motions

12.1 Motion to rescind a previous decision

A motion to overturn a decision made at a meeting of the Shadow Council within the past six months cannot be moved unless the notice of motion is

signed by at least ten members. Once the motion is dealt with, no member can propose a similar motion for six months.

- 12.2 The restrictions contained in Rule 12.1 do not apply to:-
- (a) A recommendation contained in a referral from Shadow Executive to the Council;
 - (b) A recommendation contained in a report presented individually or collectively by Chief Officers.

12.3 **Motion similar to one previously rejected**

A motion or amendment which means the same or largely the same as one that has been rejected at a meeting of Shadow Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 18 members. Once the motion or amendment is dealt with, no member can propose a similar motion or amendment for six months.

13. Voting

13.1 **Simple majority**

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

13.2 **Chairman's casting vote**

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

13.2.2 In the case of the Chairman refraining from exercising a second vote the motion or amendment being voted on will not be carried.

13.3 **Show of hands**

Unless a recorded vote is demanded under Rule 13.4.1 or required under Rule 13.4.2, the Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

13.4 **Recorded vote**

13.4.1 If, before a vote is taken, a member asks that the voting be recorded and the request is supported by 10 other members (who will show their support by a show of hands):-

- (a) the officer advising the Chairman at the meeting will call the name of each member present at the meeting;
- (b) the member will say whether he or she is for or against the motion or is abstaining; and
- (c) each member's response will be recorded in the minutes.

13.4.2 There will also be a recorded vote when required by law. This includes that a recorded vote will be required at a meeting of the Shadow Council on motions, amendments or substantive motions relating to the approval of the budget or setting of council tax, whereby there shall be recorded in the minutes the names of the

Members who cast a vote for the motion/amendment or against the motion/amendment or who abstained from voting. As this is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 2001, it cannot be suspended under the Shadow Council Procedure Rule 19.1.

13.5 Right to require individual vote to be recorded

Where any member so requires, immediately after a vote has been taken on any matter, the minutes must record whether that member voted for or against or abstained.

13.6 Voting on appointments

- 13.6.1 If there are more than two people nominated for any position to be filled and there is not an overall majority of votes in favour of one person, then the name of the person (or persons) with the fewest votes will be taken off the list and a new vote taken;
- 13.6.2 In the event that the removal of persons jointly having fewest of votes would result in only one candidate remaining, the above provision will not apply and the Interim Monitoring Officer (or their representative) will draw lots to determine which of the candidates with fewest votes will proceed to the next round;
- 13.6.3 Where more than one position is contested (for example, there are to be two Vice-Chairmen of a committee) each position will be voted on separately; and
- 13.6.4 In the event of there being an equality of votes for the final two candidates, lots will be drawn by the Interim Monitoring Officer (or their representative) to decide which person is elected.

14. Minutes

14.1 Approval and signing

- (a) The Chairman will sign the minutes of the proceedings, once they are confirmed as a correct record, at the next suitable meeting.
- (b) In this regard, the Chairman will seek a mover and seconder for the motion "*that the minutes of the meeting of the Council held on be confirmed and signed as a correct record*".
- (c) There will be no discussion on the minutes, except by way of a motion upon their accuracy.

14.2 No requirement to sign minutes of previous meeting at extraordinary or special meeting

The minutes of the preceding meeting of the Shadow Council will not be submitted to an extraordinary or special meeting of the Shadow Council for approval but will be submitted to the next ordinary meeting.

15. Record of attendance

- 15.1 All Members present during the whole or part of a meeting will, before the conclusion of such meeting, sign their names on the Attendance Register provided.

16. Exclusion of public

- 16.1 If a matter may fall within the list of exempt or confidential information set out in Section 100(A)(4) of the Local Government Act 1972, the matter will not be discussed until the Shadow Council has decided whether the public should be excluded from the meeting.
- 16.2 Members of the public may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 18 (Disturbance by Public) of these Rules.

17. Members' conduct

17.1 One member to speak at a time

- (a) When speaking, a member will stand at their place and address the Chairman. If two or more members indicate to speak at the same time, the Chairman will call on one to speak; and
- (b) While a member is speaking, all other members will remain silent unless asking to make a point of order or of personal explanation.

17.2 Respect for the chair

Whenever the Chairman rises during a debate the member then speaking will stop speaking and the Shadow Council will be silent.

17.3 Member not to be heard further

17.3.1 If, at a meeting, any member, in the opinion of the Chairman, repeatedly ignores the Chairman's ruling or behaves irregularly, improperly or offensively, or wilfully obstructs the business of the Shadow Council, the Chairman or any other member may move "*That the member named be not further heard*" and the motion, if seconded, will be voted on without discussion.

17.4 Continuing misconduct of a named member

17.4.1 If the member named continues to behave improperly after a motion in accordance with Rule 17.3 is carried, the Chairman will move a motion that either:-

- (a) the meeting be adjourned for however long the Chairman states; or
- (b) the member named leave the meeting.

If seconded, the motion will be voted on without discussion.

17.4.2 If, after a motion under Rule 17.4.1 has been carried, the member named does not leave the meeting, the Chairman may order the removal of the member and may adjourn the meeting without debate or resolution to enable removal to take place.

17.5 General disturbance

In the event of general disturbance among the members which, in the opinion of the Chairman, makes it impossible to carry on the meeting, the

Chairman may move a motion which will be voted on without seconding or discussion, to adjourn the meeting for however long the Chairman states.

17.6 Interpretation of rules - ruling of Chairman not to be challenged

The decision of the Chairman about the meaning or use of any of these Rules, or about any proceedings of the Shadow Council, is final and may not be challenged.

17.7 Interests of members in matters under discussion

Members must observe the rules in the Members' Code of Conduct in Part 5 of this Constitution. Any member declaring a disclosable pecuniary interest must leave the room where the meeting is being held for as long as the matter is being considered.

18. Disturbance by public

18.1 Removal of member of the public

If a member of the public interrupts the proceedings of any meeting, the Chairman will warn the person concerned not to interrupt. If the interruption is repeated, the Chairman will order the removal of that person from the meeting room. The Chairman may without debate or resolution adjourn the meeting to allow removal to take place.

18.2 Clearance of part of meeting room

In the case of general disturbance in any part of the meeting room open to the public the Chairman will give a warning and if the disturbance continues will order that part to be cleared, but may identify persons who may remain. The Chairman may without debate or resolution adjourn the meeting to allow clearance to take place.

18.3 No re-admittance for those removed

In the case of Rules 18.1 and 18.2 above, any member of the public removed from a meeting following a disturbance will not be re-admitted during the remainder of that meeting.

19. Suspension and amendment of Shadow Council procedure rules

19.1 Suspension

All of these Shadow Council Rules of Procedure except Rules 13.4 and 14.1 may be suspended by motion on notice (in accordance with Rule 9.1 of these rules) or without notice under if at least one half of the whole number of members of the Shadow Council are present. Suspension can only be for the whole or part of the meeting at which they are suspended.

19.2 Amendment

Any motion to add to, vary or revoke these Shadow Council Rules of Procedure will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Shadow Council with a report and recommendation from the appropriate forum/officer.

20. Custody of seal

- 20.1 The Common Seal of the Shadow Council will be kept by the Service Manager (Shared Legal) of Forest Heath District Council and St Edmundsbury Borough Council.