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:

- Gwynedd and Môn Wellbeing Plan
- The Cyngor Gwynedd Plan
- Economic Development Strategy
- Cynllun Trafnidiaeth Lleol Plans and Amendments that together make up the Local Development Plan
- Welsh Language Promotion Strategic Plan and Children and Young People's Framework Partnership
- Pay Policy
- Rights of Way Improvement Plan
- Public Participation Strategy Petition Scheme
- Council Wellbeing Statement and Objectives (in accordance with the Well-being of Future Generations (Wales) Act 2015)
- Corporate Asset Management Plan.
- Indemnity Policy
- Gambling Policy
- Licensing Policy

4.3 The Single Integrated Plan

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

4.4 The Budget

The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, the Council Tax base, setting the Council Tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital

expenditure and the setting of virement limits. The Full Council will decide the Council's overall revenue budget and overall capital budget and any changes to these. (See Section 15 for how the Council can change the Policy Framework or Budget referred to it for approval by the Cabinet.)

4.5 Housing Land Transfer

Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the National Assembly for Wales for approval of a programme of disposal of 500 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 section 32 or 43 of the Housing Act 1985.

4.6 Functions of the Full Council

Only the Full Council will exercise the following functions:

4.6.1 adopting and changing the Constitution;

4.6.2 approving or adopting the Policy Framework, the Budget and any application to the National Assembly for Wales the Welsh ministers in respect of any Housing Land Transfer;

4.6.3 subject to the urgency procedure contained in the Access to Information Procedure Rules in Section 14 of this Constitution, making decisions about any matter in the discharge of an Executive Function which is covered by the Policy Framework or the Budget where the decision maker is minded to make it in a manner which would be contrary to the Policy Framework or contrary to/or not wholly in accordance with the budget;

4.6.4 appointing and removing the Leader[s];

4.6.5 agreeing and/or amending the terms of reference for Committees, deciding on their composition and making appointments to them (in accordance with the Local Government and Housing Act 1989) unless the appointments have been delegated by the Council;

4.6.6 performing the corporate joint committee functions, including the making of a corporate joint committee application and the giving of consent to corporate joint committee regulations being made;

4.6.7 changing the name of the area

4.6.8 making or confirming the appointment of the Chief Executive

4.6.9 making, amending, revoking re-enacting or adopting bylaws and promoting or opposing the making of local legislation or Personal Bills;

4.6.10 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 Executive; and

4.6.11 all matters which by law must be reserved to the Council. For example, appointing the Chair of the Democratic Services Committee, approving Council Tax Discounts or premiums, determining the level (and any change in the level) of remuneration to the paid to a Chief Officer and approving and the pay policy statement.

4.6.12 appoving, reviewing and amending the Council's Petition Scheme;

4.6.13 approving the Council's Public Participartion Strategy

4.6.14 receiving and aopting an annual report on the extent to which the Council has met it's performance objectives

4.6.15 reviewing, approving and amending the Council's welbeing objectives in accordance with section 9 of the Well-being of Future Generations (Wales) Act 2005 and the accompanying statutory guidance issued by the Welsh Government;

4.6.16 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, and

4.6.17 considering annual reports received from the Standards Committee, within 3 months of them being made; and

4.6.18 Carrying out functions directed to the Full Council by Statutory Guidance

4.6.19 Responsible for carrying out the functions in Section 93 of the Local Government and Elections (Wales) Act 2021 – duty of principal council to respond to report of panel performance assessment and Section 96 duty of principal council to Auditor Generals recommendations

4.7 Membership

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

4.7.2 Substitution is not possible at meetings of the Council.

4.7.3 Chairing the Council

(a) The Councillor elected annually by the Council as its chair will be called the "Chair".

(b) The Chair will cease to be Chair 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 Chair after an election until their successor has been appointed.

(c) The Chief Executive shall be the Proper Officer before whom the Chair and Vice Chair will make their declaration of acceptance of Office in accordance with Section 83 of the Local Government Act 1972.

4.7.4 Role and Function of the Chair

The Chair of the Council and in his/her absence, the Vice Chair will have the following roles and functions:

(a) Ceremonial Role

The Chair of the Council:

(i) is the civic leader of Gwynedd Council;

(ii) promotes the interests and reputation of the Council and Gwynedd Council 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 Chair to account;

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

(v) to be the conscience of the Council; and

(vi) to attend such civic and ceremonial functions as the Council and he/she determines appropriate.

4.8 Council Meetings

There are three types of Council meeting:

4.8.1 the annual meeting;

4.8.2 ordinary meetings; and

4.8.3 extraordinary meetings

4.9 Rules of Procedure and Debate

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

4.10 Council Procedure Rules - Annual Meeting of the Council

4.10.1 Timing and Business

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 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 neither the Chair nor Vice Chair of the Council is present;

(b) elect the Chair of the Council;

(c) elect the Vice Chair of the Council;

(d) approve the minutes of the last meeting;

(e) receive any announcements from the Chair and/or the Chief Executive;

(f) elect the Leader of the Council, except where the Leader was appointed for a period of four years at the initial annual meeting of the Council;

(g) be informed by the Leader of the number of Members to be appointed to the Cabinet;

(h) appoint the Scrutiny Committees, a Standards Committee and such other committees and sub-committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive Functions (as set out in Section 13 of this Constitution);

(i) receive from the Leader the scheme of delegations (as set out in Section 13 of this Constitution);

(j) approve a programme of ordinary meetings of the Council for the year; and

(k) consider any business set out in the notice convening the meeting.

4.10.2 Selection of Councillors on Committees

At the annual meeting, the Council meeting will:

(a) decide which committees and sub-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;

4.11 Ordinary Meetings

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. The order of business at ordinary meetings will be as follows:

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

4.11.2 approve the minutes of the last meeting;

4.11.3 receive any declarations of interest from Members;

4.11.4 receive any announcements from the Chair;

4.11.5 receive a report from the Leader, Members of the Cabinet and Officers and receive questions and answers on the report;

4.11.6 receive a report from the Leader, Members of the Cabinet and Officers and receive questions and answers on the report;

4.11.7 receive reports from the Council's committees and receive questions and answers on those reports;

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

4.11.9 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;

4.11.10 consider motions;

4.11.11 deal with questions from Members in accordance with Rule 4.19; and

4.11.12 receive questions from, and provide answers to, the public in relation to matters which in the opinion of the Chair are relevant to the Council's functions.

4.12 Extraordinary Meetings

4.12.1 Calling Extraordinary Meetings

The Proper Officer may call 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 Chief Executive;

(d) the Monitoring Officer;

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

4.12.2 Business

The business to be conducted at an extraordinary meeting shall be restricted to the item or items of business contained in the request for the extraordinary meeting and there shall be no consideration of previous minutes or reports from committees etc, except that the Chair may at his/her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

4.13 Time, Place and Duration of Meetings

4.13.1 Time and Place of Meetings

The time and place of meetings will be determined by the Head of Democratic Services and notified in the summons.

4.13.2 Duration of Meetings

At an ordinary meeting of the Council, when 4 hours have elapsed after the commencement of the meeting, the Chair shall, if he/she deems appropriate, adjourn immediately after the disposal of the item of business being considered at the time. Remaining business will be considered at a time and dated fixed by the Chair. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

4.14 Notice of and Summons to Meetings

The Head of Democratic Services will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules in Section 14. At least 4 clear days before a meeting, the Head of Democratic Services will send a summons signed by him/her to every Member of the Council. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

4.15 Chair of Meeting

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

4.16 Quorum

4.16.1 The quorum of a meeting will be one quarter of the whole number of 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. Presence will include presence through electronic means which allow the member to hear and speak at the meeting.

4.16.2 The failure of any technological provision whether that leads to a partial or complete loss of contact shall not invalidate any part of the deliberations or any vote taken. The Chairman may postpone the meeting if they deem that appropriate.

4.17 Questions by the Public

4.17.1 General

(a) Members of the public may ask questions of Members of the Cabinet at ordinary meetings of the Council.

(b) The total time allocated for questions by the public should be limited to 30 minutes.

4.17.2 Order of Questions

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

4.17.3 Notice of Questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Head of Democratic Services no later than midday 10 clear days before the day of the meeting. Each question must give the name and address of the questioner.

4.17.4 Number of Questions

At any one meeting no person may submit more than one question and no more than one such question may be asked on behalf of one organisation.

4.17.5 Scope of Questions

The Head of Democratic Services may reject a question if it:

(a) is not about a matter for which the Council has a responsibility or which affects the county;

(b) is defamatory, frivolous or offensive;

(c) is substantially the same as a question which has been put at a meeting of the Council in the past six months;

(d) requires the disclosure of confidential or exempt information;

(e) relates to a complaint (complaints should be presented through the Council's complaints procedure);

(f) relates to a specific application for permission, a licence, consent, approval or registration, or any enforcement action relating to such a matter;

(g) relates to a particular member, a member of Council staff or a member of the public;

(h) involves unreasonable costs and effort in order to provide an answer; or

(i) if it relates to a local matter that has no wider significance to the County.

4.17.6 Record of Questions

(a) The Head of Democratic Services will enter each question in a format open to public inspection and will immediately send a copy of the question to the Councillor to whom it is to be put. Rejected questions will include reasons for rejection.

(b) Copies of all questions will be circulated to all Councillors and will be made available to the public accessing the meeting.

4.17.7 Asking the Question at the Meeting

The Chair will invite the questioner to put the question to the Councillor named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Chair to put the question on their behalf. The Chair may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

4.17.8 Supplementary Question

A questioner who has put a question in person may also put one supplementary question without notice to the Councillor who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Chair may reject a supplementary question on any of the grounds set out in Rule 4.17.5 above.

4.17.9 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Councillor to whom it was to be put, will be dealt with by a written answer.

4.17.10 Reference of Question to the Cabinet or a Committee

Unless the Chair decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Cabinet or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

4.18 Questions by Members

4.18.1 On Reports of the Cabinet or Committees

A Member of the Council may ask the Leader 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;

(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 Gwynedd Council.

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 county 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) notice has been given by delivering it in writing or by electronic mail to the Head of Democratic Services no later than midday 3 clear days before the day of the meeting.; or

(b) the question relates to urgent matters, they have the consent of the Chair or Member to whom the question is to be put and the content of the question is given to the Head of Democratic Services at least 4 hours before the meeting.

4.18.5 Maximum Number of Questions

A Member may ask only one question under Rule 4.18.2 or 4.18.3 except with the consent of the Chair of the Council, committee or sub-committee.

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 determined by the Chair of the Council, committee or sub-committee.

4.18.7 Content of Questions

Questions under Rule 4.18.2 or 4.18.3 must, in the opinion of the Chair:

(a) contain no expressions of opinion;

(b) relate to matters on which the Council has or may determine a policy;

(c) not relate to questions of fact.

4.18.8 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 circulated within 5 working days to the questioner.

4.18.9 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.

4.18.10 Length of Speeches

A Member asking a question under Rule 4.18.2 or 4.18.3 and a Member answering such a question may speak for no longer than 5 minutes unless the Chair consents to a longer period.

4.18.11 Time Allowed for Questions at Council Meetings

(a) The time allowed for consideration of questions submitted under Rule 4.18.2 shall not, without the consent of the Council, exceed 30 minutes.

(b) At the conclusion of the answer to the question under consideration at the expiry of 30 minutes (or such longer period to which the Council has consented) from the time when the first questioner started to speak, the Chair shall conclude the meeting.

(c) Any remaining questions shall be responded to in writing before the next ordinary meeting of the Council.

4.19 Motions on Notice

4.19.1 Notice

Except for motions which can be moved without notice under Rule 4.20 and in cases of urgency, notice in writing or by electronic post of every motion, must be delivered to the Head of Democratic Services not later than 17:00 on the tenth clear day before the Council meeting at which it is to be considered. Motions received will be entered in a format open to public inspection.

4.19.2 Motion Set Out in Agenda

Motions for which notice has been given will be listed on the agenda in the order determined by the Chair.

4.19.3 Scope

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

4.19.4 Propriety

(i) if notice is given of any motion that is, in the opinion of the Monitoring Officer, unlawful, irregular or improper the Monitoring Officer shall immediately inform the Chairman and the Chief Executive and it shall not be placed on the agenda without their sanction. In this case the Monitoring Officer shall inform the member giving notice. If the motion can be amended to render it appropriate then the member giving notice shall be advised of this and given an opportunity to amend the notice of motion.

(ii) Notwithstanding (i) a notice of motion, which in the opinion of the Monitoring Officer on being adopted would mean an unlawful decision or lead to maladministration as defined in Section 5 of The Local Government and Housing Act 1989, shall not be placed on the agenda.

4.19.5 Motion to Remove the Leader

(a) A motion to remove the Leader cannot be moved unless the notice of motion is signed by a number of councillors which is at least equivalent to 20% of the total number of councillors on the Council and which includes councillors from at least two political groups. See Section 6.3.2.

(b) In order for such a motion to be carried it must have the support of at least two thirds of those Members voting and present in the room at the time the question was put.

(c) A motion to remove the Leader cannot be moved more than once in any rolling 12 month period.

4.19.6 One Motion per Member

No Member may give notice of more than one motion for any Council meeting, except with the consent of the Chair.

4.19.7 Time Allowed for Motions

The time allowed for consideration of motions submitted under this Rule shall not, without the consent of the Council, exceed 30 minutes. At the conclusion of the speech being delivered at the expiry of 30 minutes (or such longer period to which the Council has consented) from the commencement of the Council's consideration of the first such motion, the Chair shall put to the vote, without further discussion, all the questions necessary to dispose of the motion then under debate provided that:

(a) if the speech to be concluded is a speech proposing a motion, the Chair shall allow the motion to be formally seconded (without comment);

(b) if the speech to be concluded is a speech moving an amendment, the Chair shall allow the amendment to be formally seconded (without comment) and the mover of the motion to exercise his right of reply; and

(c) otherwise, the Chair shall allow the mover of the motion to exercise his right of reply.

Any remaining motions submitted under this Rule shall be deferred to the next ordinary meeting of the Council and shall be dealt with at that meeting in the same order and before any other motions of which notice is given for that meeting.

4.20 Motions without Notice

The following motions may be moved without notice:

4.20.1 to appoint a Chair of the meeting at which the motion is moved;

4.20.2 in relation to the accuracy of the minutes;

4.20.3 to change the order of business in the agenda;

4.20.4 to refer something to an appropriate body or individual;

4.20.5 to appoint a committee or Member arising from an item on the summons for the meeting;

4.20.6 to receive reports or adoption of recommendations of committees or Officers and any resolutions following from them;

4.20.7 to withdraw a motion;

4.20.8 to amend a motion;

4.20.9 to proceed to the next business;

4.20.10 that the question be now put;

4.20.11 to adjourn a debate;

4.20.12 to adjourn a meeting;

4.20.13 to suspend a particular Council Procedure Rule;

4.20.14 to exclude the public and press in accordance with the Access to Information Procedure Rules;

4.20.15 to not hear further a Member named under Rule 4.28.3 or to exclude them from the meeting under Rule 4.28.4; and

4.20.16 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 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 and no speech may exceed 10 minutes in the case of the mover of a motion or the local member for the area in which the establishment or land under discussion is situated and 5 minutes in the case of every other speaker 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 last spoke;

(c) if his first speech was on an amendment moved by another Member, to speak on the main issue (whether or not the amendment on which he 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 4.22.6(i) to 4.22.6(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 decided.

(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 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 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 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 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 4.29.3 or to exclude them from the meeting under Rule 4.29.4.

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 act 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 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 will put the procedural motion to the vote. If it is passed he will give the mover of the original motion a right of reply before putting his 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 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 point of order is a request from a Member to the Chair to rule on an alleged irregularity in the procedure of the meeting. 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 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.

4.21.14 Language

(a) In all meetings, the Welsh language and the English language shall have the same status and validity.

(b) All persons shall have the right when speaking in any meeting to speak in either Welsh or English.

(c) The proper officer shall arrange for instantaneous translation from Welsh into English (and from English to Welsh when requested), to be provided at all meetings.

(d) In the absence of instantaneous translation, the business of the meeting may proceed, but the person presiding shall ensure, at the request of any member (including the speaker), that the exact words of any motion, amendment, question, answer or point of order and at least the substance of any speech or comment are translated provided that any inadvertent failure to comply with this rule, or any inadvertent error in translation, shall not invalidate any resolution.

4.22 State of the County Debate

4.22.1 Calling of Debate

The Leader may call a state of the county debate annually on a date and in a form to be agreed with the Chair.

4.22.2 Form of Debate

The Leader will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the debate.

4.22.3 Chairing of Debate

The debate will be Chaired by the Chair.

4.22.4 Results of Debate

The results of the debate will be disseminated as widely as possible within the community and to agencies and organisations in the area which work in active partnership with the Council and considered by the Leader in proposing the Budget and Policy Framework to the Council for the coming year.

4.23 Previous Decisions and Motions

4.23.1 Motion to Rescind a Previous Decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 15 Members, except in the case of new information becoming available.

4.23.2 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 15 Members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

4.24 Voting

4.24.1 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.

4.24.2 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.

4.24.3 Method of Voting

Unless a secret ballot is demanded under Rule 4.24.4 or a recorded vote under rule 4.24.5 the Chair will take the vote by show of hands, or by use of the Council's electronic voting system if any, or if there is no dissent, by the affirmation of the meeting.

4.24.4 Secret Ballot

The vote will take place by ballot if at least two thirds of the voting members present at the meeting demand it. The chairman will announce the results of the ballot immediately the result is known.

4.24.5 Recorded Vote

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

4.24.6 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.

4.24.7 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.

4.25 Minutes

4.25.1 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 part of the minutes that can be discussed is their accuracy.

4.25.2 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.

4.25.3 Form of Minutes

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

4.26 Record of Attendance

All Members present during the whole or part of a meeting (except those in remote attendance) must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

4.27 Exclusion of Public

Members of the public and press may only be excluded either in accordance with the Access to Information Procedure Rules in Section 14 of this Constitution or Rule 4.29 (Disturbance by Public).

4.28 Members' Conduct

4.28.1 Speaking at Meetings

When a Member speaks at Full Council he/she must stand and address the meeting through the Chair. If more than one Member signifies their intention to speak, the Chair will ask one to speak. Other Members must remain silent whilst a Member is speaking unless they wish to make a point of order or a point of personal explanation.

4.28.2 Chair Standing

When the Chair stands during a debate, any Member speaking at the time must stop and sit down.

4.28.3 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.

4.28.4 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.

4.28.5 General Disturbance

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

4.29 Disturbance by Public

4.29.1 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.

4.29.2 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.

4.30 Use of Social Media During Meetings

The use of social media is permitted during meetings so long as there is no disturbance to the conduct of the meeting.

4.31 Suspension and Amendment of Council Procedure Rules

4.31.1 Suspension

All of these Council Rules of Procedure except Rules 4.19.5,4.24.5 and 4.25.2 may be suspended by motion on notice or without notice if at least one half of the whole number of Members of the Council are present. Suspension can only be for the duration of the meeting. Rule 4.19.5 can only be suspended by motion on notice and the motion must have the support of at least two thirds of those Members present and voting.

4.31.2 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.

4.32 Interpretation

The regulation of the individual presiding at the meeting with regard to the interpretation of the contents of this Constitution or regarding any of the Council's proceedings shall not be challenged at any of the Council's meetings.

4.33 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 to 4.16, 4.18 to 4.21, 4.23 to 4.32 (but not Rule 4.28.1) apply to meetings of committees and sub-committees.