

# Full Council Procedure Rules

## Types of meetings

### 1. ANNUAL MEETINGS OF THE COUNCIL

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 matters to be considered at the Annual Meeting shall be

- (a)
  - (i) Apologies for absence
  - (ii) Declarations of interest
  - (iii) Electing a Mayor and noting the appointment of the Deputy Mayor;
- (b) Approve the minutes of the last meeting;
- (c) Receive official announcements;
- (d) Electing the Leader of the Council for the ensuing four year period;
- (e) Noting the appointment of the Deputy Leader of the Council;
- (f) Noting the appointment as Leader of the Opposition of the Leader of the largest political group other than the group of which the Leader of the Council is a member;
- (g) Appointing the Chairman, Vice Chairman and members of Committees, and other regulatory bodies and approving their respective terms of reference;
- (h) Agreeing the Scheme of Delegation or such part of it as the Constitution determines it is for Council to agree;
- (i) Appointing representatives to Outside Bodies unless the appointment has been delegated by the Council;
- (j) Reports from other Committees and Officers as required to in the proper discharge of functions delegated by Council.

### 2. ORDINARY MEETINGS

2.1 The matters to be considered at an Ordinary Council meeting shall be:

#### Part 1 - Statutory formalities/Announcements (15 minutes)

- 1. Apologies for absence
- 2. Elect a member to preside if the Mayor is absent

3. Prayer
4. Declaration of interest
5. Minutes of last meeting
6. Official announcements
7. Any business remaining from last meeting
8. Agree the Council Calendar of meetings including for ordinary meetings of the Council

**Part 2 - Question Time (30 minutes or until 7.45 p.m. whichever is longer)**

9. Questions to the Leader (and Committee Chairmen if he/she has delegated)

**Part 3 - Statutory Council Business (60 minutes)**

10. Petitions for Debate (20 minutes). A petition organiser (up to 5 minutes) and Members responding (up to 15 minutes)
11. Reports from the Leader
12. Reports from Council Committees
13. Reports of Officers
14. Questions to Council Representatives on Outside Bodies

**Break (15 minutes)**

**Part 4 – Business for Debate (45 minutes)**

15. Motions (45 minutes)

Discussion of up to two motions: At least one motion originating from the Opposition to be debated if submitted. The Opposition is the next largest political group after the ruling administration.

If there is more than one motion submitted, the Opposition motion debated will be determined by the Opposition, and the Administration motion will be determined by the Administration.

If more than two motions are submitted then these can be debated if time allows before 10pm at the end of the agenda and with the agreement of the Council. These motions, if any, will be taken in rotation between the Political Parties.

No business shall be transacted after 10 pm and any business transacted after that time shall be null and void, but that at any meeting of Full Council, the Mayor or person presiding as Chairman may extend the period for the transaction of business to 10.30 pm.

### **3. EXTRAORDINARY MEETINGS**

- 3.1 The Mayor may call an Extraordinary Meeting of the Council at any time.
- 3.2 Five Members of the Council may also request the Mayor to call an Extraordinary Meeting. The meeting must be called within seven days of the notice being present to the Mayor, although there is no time limit by which the meeting must take place.
- 3.3 If the Mayor refuses, or does not call the meeting within seven days, any five Members may themselves call an Extraordinary Meeting.
- 3.4 The only business permitted at an extraordinary meeting is that which appears in the summons.

### **4. BUDGET COUNCIL MEETINGS**

- 4.1 The Council shall hold a Budget meeting at time, date and place fixed by the Council to approve the budget and Council Tax for the ensuing financial year. Only Parts 1 (Statutory Formalities/Announcements) and 3 (Statutory Council Business) will apply to the Budget meeting.

### **5. ROLE OF MAYOR.**

- 5.1 At the meeting of the Council, the Mayor, if present shall preside.
- 5.2 If the Mayor is absent from a meeting of the Council then the person appointed by the Mayor as Deputy Mayor if still a Councillor shall preside if chosen for that purpose by the Councillors present.
- 5.3 If the Mayor and Deputy Mayor are absent from the meeting or if the Deputy Mayor being present is not chosen, then another Councillor chosen by the Councillors present shall preside.
- 5.4 Any procedural issues or challenges to the conduct of the meeting that arise during the course of a meeting shall be determined by the Mayor (or other person presiding at the meeting)
- 5.5 The ruling of the Mayor or person presiding at the meeting concerning the interpretation or application of these procedure rules shall not be challenged at any meeting of the Council.

### **6. VARIATION**

The order of any business may be varied by the Mayor at his or her discretion either at or before the meeting;

## **7. SUSPENSION OF PROCEDURE RULES**

The Council at any of its meetings may suspend any procedure rule by a majority of the members of the Council present and voting.

## **8. VALIDITY OF MOTIONS, AMENDMENTS AND QUESTIONS**

- 8.1 Every motion, amendment and question shall be relevant to matters within the Council's powers or duties or which affect the borough. The Mayor shall, if need be, give a ruling as to whether the Motion is relevant.
- 8.2 If the Head of Governance has any doubts about any motion, amendment or question for the agenda for reasons of propriety, he or she may refer it to the Mayor.
- 8.3 If the Mayor considers the motion, amendment or question to be vexatious, irrelevant, or otherwise improper, the Head of Governance will return it to the Member who submitted it. The Head of Governance will explain to the Member in writing why it will not be included on the agenda circulated for the meeting.

## **9. GENERAL PROVISIONS FOR MOTIONS AND AMENDMENTS**

- 9.1 An amendment must be relevant to a Motion on the agenda and shall be to change the words (including deleting or adding words) but such changes must not merely have the effect of negating the Motion before the Council.
- 9.2 No member may submit more than one amendment to a particular Motion or report on the agenda.
- 9.3 A Member may amend a Motion in their name by submitting the amendment in writing to the Head of Governance by 10.30am the working day before the meeting.
- 9.4 Amendments to items on the agenda will be e-mailed to Members and hard copies placed in the Group Rooms by midday of the day of the meeting.

## **10. MOTIONS AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE**

The following motions and amendments may be moved without notice to:

- 10.1 appoint a Chairman of the meeting;
- 10.2 question the accuracy of the minutes;
- 10.3 move that an item of business in the summons takes precedence;
- 10.4 appoint a committee (including its members, a Chairman and Vice-Chairman and members having related specified duties);

- 10.5 receive reports or adoption of recommendations of committees and officers and any resolutions following on from them;
- 10.6 agree to hear oral representations;
- 10.7 give leave to withdraw a Motion;
- 10.8 extend the time limit for speeches;
- 10.9 move that "the question be now put" (to the vote);
- 10.10 move that "the debate be now adjourned";
- 10.11 move that "the Council do now adjourn";
- 10.12 exclude or to re-admit the press and public under section 100A(4) of the Local Government Act 1972;
- 10.13 move that a Member be not further heard or exclude them from the meeting;

## **11. VOTING**

- 11.1 All motions and amendments shall be determined by a show of hands In the event of an equality of voting the Mayor shall have the right to exercise a casting vote, in accordance with the provisions of the Local Government Act 1972.
- 11.2 Decisions shall be taken by a majority of those members present and voting except where specific provisions in this Constitution provide otherwise. Members must be seated in the Chamber when voting and while the vote is being recorded.
- 11.3 In cases where a vote is taken, the minutes of the meeting should record the number of votes for and against the matter together with the number of abstentions.
- 11.4 For the Council budget meeting the minutes shall reflect on how each Member present voted, on any decision relating to the budget or Council tax.

## **12. VOTE TO BE RECORDED**

- 12.1 If, immediately after a vote is taken, a member requests his or her vote to be recorded, the Head of Governance will record in the minutes whether that member:
  - (a) cast his or her vote for or against the question; or
  - (b) abstained from voting.

## **13. DIVISION**

- 13.1 If following a vote, ten members rise in their place and demand a formal division, the Head of Governance shall call over the names of all the members, and record and enter in the minutes those:

- (a) voting for or against the Motion or amendment;
- (b) abstaining from voting; and
- (c) absent from the meeting when the division was taken.

13.2 The voting at the division shall take the place of the voting indicated by a show of hands.

#### **14. VOTING ON APPOINTMENTS**

14.1 Where more than two persons are nominated for any position to be filled by the Council, and there is no majority of votes in favour of one person, the name of the person having the least number of votes shall be deleted from the list. Further votes will then be taken on the same basis until a majority is given in favour of one person.

#### **15. QUESTION TIME**

- 15.1 In part 2 of the meeting the Leader of the Council will answer questions from any member of the Council. The Leader may delegate the responsibility for answering to any Chairman of a relevant committee.
- 15.2 Questions will be put to the Leader in the order in which they are received by the Head of Governance, except that questions shall be ordered so that a question from one political group is followed by a question from another group until all groups have placed one question each. This sequence shall be maintained until all questions have been dealt with or the time limit for question time is reached.
- 15.3 Any Member wishing to ask a question must deliver by e-mail, to be received by the Head of Governance by 10.30am ten clear working days before the day of the meeting.
- 15.4 The Head of Governance shall keep a register recording the date and time the question was received. Any member of the Council may inspect the record.
- 15.5 The Leader may agree to answer a question of which notice has not been given, if it relates to urgent business and has been discussed with him/her before the meeting.
- 15.6 All questions must relate to the Council's powers or duties or matters that affect the borough or its residents.
- 15.7 Every question shall be put and answered without discussion.
- 15.8 An answer will take the form of a written reply circulated two working days before the meeting but the Mayor may allow further comment from the Leader or appropriate Committee Chairman. In the absence of the appropriate Chairman further comment may be allowed from the relevant Vice-Chairman.
- 15.9 One supplementary question and answer will be allowed on the same subject from the same members.

15.10 The time allowed for questions will be 30 minutes. At the end of that time the Mayor will allow an oral reply to a supplementary question commenced before the expiry of the time limit and then bring this part of the meeting to a close. The Mayor has the right to prevent any member asking or giving a protracted supplementary question or answer.

## **16. GENERAL RULES THAT APPLY TO PARTS 3 AND 4 OF THE MEETING**

### **Rules of Debate**

16.1 The rules of debate at the meeting are as follows:

16.2 Each Motion will be dealt with in turn in the order set out on the agenda. The Business Item need not be seconded. The Member moving the Motion, or another member of that group, will open the debate. The Leader of each of the other groups, or another member of their group, will then have an opportunity to comment and at the end of the time allowed the Mayor will bring this part of the debate to an end, whether or not all those entitled have spoken or completed their speeches.

16.3 For reports of Committees (including Overview and Scrutiny Committees), the Chairman of the relevant committee, or the Vice-Chairman in their absence, will move reception of the report and adoption of the recommendations. This report need not be seconded. The leader of each of the other groups, or another member of their group, will then have an opportunity to comment on the recommendation, and at the end of the time allowed the Mayor will bring this part of the debate to an end, whether or not all those entitled have spoken or completed their speeches.

16.4 Notified amendments may be moved by those speaking in the first part of the debate. After all the amendments have been debated the Motion will be debated. Then the Member, who opened the debate, or his / her nominee, has the right to respond.

16.5 At the end of debate the Mayor will put each amendment to the vote in turn. If an amendment is carried it alters the substantive Business Item.

16.6 The Mayor will then put the item to the vote.

### **Time for Debate**

16.7 Each of the first speakers from each Group under Rule 20.2 may speak for a maximum of 5 minutes. All subsequent speakers will be limited to a maximum of 4 minutes. At the end of that period of time the Mayor will bring that part of the meeting to a close, whether or not every member wishing or entitled to speak is speaking or has spoken, and whether or not all the business for that part of the meeting has been dealt with. The Mayor will then put the remaining items of business for that part of the meeting to the meeting in turn, and the Council will decide and if necessary vote on each of them without debate.

16.8 For all other items of business (e.g. reports of Committees or from Officers), each of the first two speakers may speak for a maximum of three minutes and all other speakers a maximum of two minutes.

- 16.9 The Mayor may at any time move that more time be allowed for a debate than is shown on the timetable, that an amendment, Motion or recommendation be put to the vote without further debate, or that the order of business be varied. This motion from the Mayor need not be seconded, and will be immediately put to the vote without debate.
- 16.10 The mover of an original Motion shall have a right of reply at the close of the debate on the Motion, immediately before it is put to the vote. If an amendment is moved, the mover of the original Motion has the right to respond or to accept the amendment.

### **Motions**

- 16.11 Motions must consist of comments or requests addressed to the Council. They must address broad policy issues and relate to the Council's powers or duties or matters that particularly affect the Borough or its residents as opposed to matters of general national relevance which should not be debated.
- 16.12 Motions may not promote a policy initiative which has been rejected, or negate a policy initiative that has been agreed by Council or its committees in the six months before the meeting.

### **Members Motions**

- 16.13 Any Member may put a Motion on the agenda for an ordinary meeting of the Council, except the meeting that deals with the Budget and Council Tax. The Motion must be delivered by e-mail, and received by the Head of Governance by 10.30am at least six clear working days before the day of the meeting. Any Motion delivered after 10:30am will be recorded as received on the next working day.
- 16.14 The Head of Governance shall keep a record of the date the notice was received and any member of the Council may inspect the record.
- 16.15 The Head of Governance shall set out in the summons for the meeting all Motions in order of receipt.
- 16.16 Once the Motion is on the agenda, any Member may move the Motion at the meeting. If the Motion is not moved it shall be treated as withdrawn, unless the Council agrees to postpone it.
- 16.17 If the proposer has specifically asked in his or her notice for the Motion to be voted on at that Council meeting it will be voted on without discussion.

## **17 RULES THAT APPLY TO PART 2 OF THE MEETING**

### **Questions on Committee reports**

- 17.1 A member may ask the Chairman of a Committee, or a member moving the reception of the report of the committee, any question on it whilst it is being considered. Notice of the question should be given to the Chairman, or any member moving the report, where practicable. Every question shall be put and answered without discussion. The person to whom a question has been put may decline to answer.



## **Questions to Council representatives on Outside Bodies**

- 17.2 At an ordinary meeting, a member, who has given 10 clear working days written notice to the Head of Governance, may ask any question about the activities of a company or outside body to any member or officer who has been appointed or nominated to the outside body.
- 17.3 The member or officer may decline to answer if the question would disclose information about the outside body that has been communicated to him or her in confidence.
- 17.4 An answer may take the form of:
- (a) an oral or written answer (officers will invariably give written answers); or
  - (b) a reference to a Council publication; or
  - (c) a holding reply where it is not possible to give an immediate response; a written response must be circulated to members when the information is available.
- 17.5 No discussion shall be permitted about any question or the reply to it.
- 17.6 Questions and answers will be recorded.

## **Public Questions to the Leader of the Council**

- 17.7 Members of the public are permitted to submit written questions to the Leader in accordance with the following provisions:
- Any question must be delivered in writing, including by e-mail, to be received by the Head of Governance by 10.30am ten clear working days before the day of the meeting. Any questions submitted after that time will not be considered,
  - The question should not relate to a matter previously considered by a committee and subject to the six month rule,
  - The question should not relate to a matter that is within the remit of a committee, or be a matter best addressed by a committee. If this is the case, then the question should be directed to the appropriate committee.
  - The question must not be in substance a question that has already been considered by the Leader in the preceding 6 months.
- 17.8 Every question will be answered in writing. The Leader may decline to answer a question in exceptional circumstances and should include the reason for not answering the question. Any questions not answered will be directed to the next relevant meeting of the themed committee.