



# Part 4A

## Council Procedure Rules

## **PART 4A - COUNCIL PROCEDURE RULES**

Matters reserved to Council are outlined in the Council Terms of Reference at Section 3 to Part 3 of this Constitution.

### **1. ANNUAL MEETING OF THE COUNCIL**

#### **1.1 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 on a date to be set by Council.

#### **1.2 The annual meeting will:**

- a) elect a person to preside if the Mayor or Deputy Mayor is not present;
- b) elect the Mayor;
- c) appoint the Deputy Mayor;
- d) approve the Minutes of the last meeting;
- e) deal with matters which the Mayor considers to be urgent business;
- f) receive any communications from the Mayor relating to the business of the Council;
- g) receive any petitions relating to the business of the Council (all petitions to be dealt with in accordance with the Council's Petitions Protocol);
- h) elect the Leader (if required);
- i) receive the report of the Leader on executive arrangements;
- j) decide the allocation of seats to political groups in accordance with the political balance rules;
- k) establish at least one Overview and Scrutiny Committee, a Licensing Committee (or such Committee as meets the requirements of the Licensing Act 2003) and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions;
- l) decide, within any statutory restriction, the size and terms of reference for those Committees;
- m) appoint to those Committees, including substitute Members;
- n) appoint a Chair for those Committees;
- o) appoint to outside bodies, except where appointment to those bodies has been delegated by the Council or are executive appointments;
- p) if not previously determined by Council, approve a programme of ordinary meetings of the Council for the year;
- q) consider notices of Administration business in the order in which they have been received by the Chief Executive in accordance with Procedure Rules 2, 8 and 12 (time limit – 30 minutes);

- r) consider motions of opposition business in accordance with Procedure Rules 2, 8 and 12 (time limit – 30 minutes);
- s) agree amendments to and/or re-affirm the Constitution, including the Council (non-executive) Scheme of Delegation; and
- t) consider any business set out in the notice convening the meeting.

## 2. ORDINARY MEETINGS

### 2.1 Timings and Business

- 2.1.1 All ordinary meetings shall normally be held at 6.00pm and shall conclude at 9.30pm unless some other time fixed by statute or specified in the summons. The Mayor shall determine whether meetings where significant tranches of Budget proposals or major communications are considered shall conclude at 10.00pm.
- 2.1.2 Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting or by the Council at an ordinary meeting preceding the annual meeting.
- 2.1.3 Subject to any variation in the order of business under Procedure Rule 12.4(c) or when the Mayor, in consultation with the Leaders of the political groups of the Council, considers it appropriate to move an officer report higher on the agenda, the order of business at every ordinary meeting of the Council will be:
  - a) To choose a person to preside if the Mayor and Deputy Mayor are not present;
  - b) To approve as a correct record the Minutes of the last meeting of the Council; provided that, if a copy has been circulated to each Member of the Council not later than the date of issue of the Summons to attend the meeting, they will be taken as read;
  - c) To receive any declarations of interest from Members;
  - d) To deal with matters which the Mayor considers to be urgent business.
  - e) To receive any communications from the Mayor relating to the business of the Council. At the final ordinary Council meeting of any municipal year, the Mayor will indicate which members have provided notice that they are not returning as members in order to give other members the opportunity to address the meeting on their retirement;
  - f) To receive any petitions relating to the business of the Council (all petitions to be dealt with in accordance with the Council's Petitions Protocol); **(time limit - 20 minutes)**
  - g) To consider a presentation or resolution on a specific topic of relevance to the Borough, from the Youth Council; **(time limit – 20 minutes)**;
  - h) Public Questions **(time limit 15 minutes )** ( see Council Procedure Rule 10)
  - i) Leader and Cabinet reports and questions **( time limit 90 minutes)**. To receive reports on updates on main activities in the portfolio area of Leader and Cabinet members and receive questions from non-executive

members. (Each portfolio holder section will last a maximum of 10 minutes with 6 minutes permitted for questions from non-executive members). The Leader section will receive the minutes of the Cabinet and Greater Manchester Combined Authority and Executive meetings minutes .To also receive annually a list of any urgent key decisions taken since the last annual report. ) In the Leader section, the Leader of the main opposition group is entitled to ask 2 questions and the Leader of the next largest group may ask 1 question.

- j) To consider Administration business. To consider a maximum of two notices of motion in the order in which they have been received by the Chief Executive; **(time limit - 30 minutes)**
- k) To consider Opposition business. The order of consideration of Opposition motions is in accordance with group size with one motion considered from each group sequentially .The main opposition group motion is limited to 15 minutes . The motion from the next largest group is limited to a maximum of 10 minutes . Other motions submitted to be considered within the permitted period of 30 minutes. **(time limit – 30 minutes)**
- l) Other business (if any) specified in the Summons, including matters of call-in and any matters expressly required by statute. Without the suspension of Council Procedure Rules, the Chair of the Audit Committee may speak with permission and if requested when Council is considering a report from the Chair of the Audit Committee. In considering a report on Actions from Council, each report will cover actions and responses to Council motions in the 12 months preceding the meeting and any update and response received in connection with motions beyond a 12 month period.

2.1.4 Any period of time not utilised in relation to items (a) – (k) in section 2.1 above is to be distributed to items (l).

2.1.5 The Council Budget Meeting shall be a sole item meeting, except that a communications item may be included.

2.1.6 If time has expired on any motion section, any motion under debate will be put to the vote and any outstanding motions will be moved and seconded and a vote taken.

### **3. EXTRAORDINARY MEETINGS**

#### **3.1 Calling Extraordinary Meetings**

An extraordinary meeting of the Council may be called at any time by:

- a) the Council;
- b) the Mayor;
- c) any five Members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition; or

- d) the Monitoring Officer or the Chief Finance Officer in pursuance of their statutory duties.

### **3.2 Business**

Any request or requisition for an Extraordinary Meeting of the Council shall specify the reason for the calling of the meeting and give notice of a motion to be debated, unless the purpose is to receive reports or adoption of recommendations of Committees or Officers or any resolutions following from them. No business other than that specified in the summons to the meeting may be considered at an extraordinary meeting.

## **4. NOTICE AND SUMMONS TO MEETINGS**

- 4.1 The Chief Executive or nominated Officer shall give notice to the public of the date, time and place of any meeting in accordance with the Access to Information Procedure Rules at Part 4B of this Constitution. At least five clear working days before a meeting, the Chief Executive or deputed Officer shall send a summons by post or by electronic mail to every Member of the Council or leave it at their usual place of residence. Every Member of the Council will be served with a copy of the summons prior to the meeting, unless they give written notice to the Chief Executive or nominated Officer that they do not wish to receive a physical copy. The summons shall give the date, time and place of each meeting and specify the business to be transacted and shall be accompanied by any reports to be considered.
- 4.1A For all purposes of these Rules and the Constitution in general, the terms “notice”, “summons”, “agenda”, “report”, “written record” and “background papers” when referred to as being a document that is:
  - a) “open to inspection”, shall include for these and all other purposes as being published on the website of the Council; and
  - b) to be published, posted or made available at offices of the Authority, shall include publication on the website of the Authority.

## **5. CHAIR OF MEETING**

- 5.1 The Mayor shall preside at meetings of the Council and may exercise any power or duty of the Chair in ensuring the proper conduct of the meeting. If the Mayor is absent, the Deputy Mayor shall preside. If both are absent, the members of the Council in attendance shall appoint one of their number to Chair that meeting.
- 5.2 Whenever the Mayor speaks during a debate, or should the Mayor stand at any point during a meeting, or should the Mayor declare “Mayor standing” at any meeting being held wholly or in part by remote means, any Member speaking or standing shall fall silent, and the meeting shall fall silent also.

## **6. MEMBERS SPEAKING TO THE COUNCIL**

- 6.1 A Member shall speak to address the Council only when called upon by the Chair of the meeting. A Member called to speak shall, if present at the physical location of a meeting and able, stand when speaking and shall address the Mayor. If two or more Members indicate they wish to speak, the Mayor shall call on one to speak.

## **7. QUORUM**

- 7.1 No business shall be transacted at a meeting of the Council unless at least one quarter of the whole number of Members of the Council are present. If, at the expiration of 15 minutes after the time for which any meeting is called, a quorum is not present then the Mayor or in his/her absence the Deputy Mayor or in the absence of both, the Monitoring Officer or his/her representative shall state that no meeting shall take place. If, during a meeting, a quorum is questioned and the Mayor, after counting the number of Members present, declares that there is not a quorum present, the meeting shall stand adjourned for an appropriate period to be determined by the Mayor.

## **8. DURATION OF MEETING**

### **8.1 Interruption of the Meeting**

Unless otherwise stated on the summons or provided for in accordance with Procedure Rule 2.1, at 9.30pm the Mayor will cease all debate and any Member speaking must immediately sit down. The Mayor will call for the vote immediately on the item under discussion. The vote will then be taken in the usual way without any further discussion.

### **8.2 Motions and Recommendations Not Dealt With**

If there are other motions or recommendations on the summons that have not been dealt with by 9.30 pm or such other time arising from Procedure Rule 8.1 above and the mover indicates that he/she wishes it to be determined at the current meeting the Mayor shall then establish whether there is any opposition to the resolution. If that be the case then the Mayor will take one speech from the mover and one other member in opposition before the vote is taken. Any other outstanding motions or amendments will be moved and seconded and the vote will be taken without further debate until each outstanding matter has been concluded.

### **8.3 Recorded Vote**

If during this process a recorded vote is requisitioned in accordance with Procedure Rule 16.3, the vote will be taken immediately.

## **9. SIGNING OF MINUTES**

- 9.1 As soon as the Mayor has put the question that the Minutes of the last preceding meeting of the Council be signed as a correct record, any Member of the Council may put to the Mayor any question which has reference to their accuracy and no motion or discussion shall take place upon the Minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised, then as soon as it has been disposed of, the Mayor shall sign the minutes.
- 9.2 At an extraordinary meeting of the Council the minutes of the preceding meeting need not be signed and may instead be signed at the next ordinary meeting.

## **10. PUBLIC QUESTIONS**

### **10.1 Notice of Public Questions**

Written notice of the public question must be delivered to the Head of Democratic Services no later than noon on the day prior to the Full Council meeting (12 noon two working days before the meeting for all other Council Committees). Delivery includes the submission of questions via electronic media. Questions can only be submitted by those who reside or own a business within the Borough and the notice of the public question must include the questioner's name and full postal address.

### **10.2 Scope of Questions**

Questions can be asked of Cabinet Members. Questions may only be asked on services provided by or commissioned by the Council. Questions may not be accepted if the Chief Executive, in consultation with the Monitoring Officer, considers that the question:

- a) is not about a matter for which the Council provides or commissions services;
- b) requires or is likely to lead to the disclosure of exempt or confidential information;
- c) is defamatory, offensive, factually incorrect or uses inflammatory language;
- d) is substantially the same as a question which has been asked at a Council meeting in the past six months;
- e) is formed to make a statement rather than to receive information.

The question must not exceed more than 100 words.

### **10.3 Order of Questions**

Questions from members of the public will be taken in the order received. Multiple questions by the same member of the public will only be considered after questions submitted singly, and then in the order of all second questions submitted, then all third questions submitted and so on.

**10.4 Asking the Question at the Meeting**

The Mayor will advise of the name of a questioner and will either read out the question or ask for the question to be read out to the Council.

**10.5 Answers to Questions**

The relevant Cabinet Member or their Deputy may respond and the time allowed for responses to be limited to a maximum of two minutes each.

**10.6 Record of Questions**

Notices of questions will be dated and numbered as received and be open to public inspection.

**10.7 Time Limit on Public Questions**

The time allowed for public questions will be a maximum of 15 minutes.

**11. QUESTIONS BY MEMBERS**

**11.1 Questions to Leader and Cabinet Members**

Advance notice of questions to the Leader and Cabinet Members is not required. However, if a detailed or technical answer is expected at the meeting, notice should be given to the Chief Executive by noon at least two working days before the date of the meeting of Council. The time allowed to put the question shall be limited to a maximum of two minutes for each question.

**11.2 Answers to Questions**

An answer may be provided in the form of: a)

A direct oral answer;

b) A reference to a publication of the Council containing the desired information; or

c) In the case of a detailed or technical response, a written response. The time allowed for responses is limited to a maximum of two minutes for each question.

**11.3 Supplementary Questions and Observations**

After a question has been responded to, a Member may ask one supplementary question or make an observation which must relate to the original question or response.

**12. NOTICES OF MOTION**

**12.1 Notice**

Except for Motions which can be moved without notice under Procedure Rule 12.4, written or electronic notice of every motion, including those motions to be submitted by the Youth Council, signed by at least one Member, must be delivered to the Chief Executive no later than noon, seven working days before



the meeting of Council. Such notices will be dated and numbered as received, filed in the office of the Chief Executive and be open to public inspection.

## **12.2 Scope**

Every notice of motion will be relevant to some matter over which the Council has an influence.

## **12.3 Motions not accepted**

If notice is given of any motion which, in the opinion of the Chief Executive is out of order, illegal, irregular or improper, the Chief Executive, in consultation with the Mayor and Monitoring Officer, shall determine whether to accept its inclusion on the agenda. If a motion is not deemed acceptable the Chief Executive shall inform the member who gave notice of the item.

## **12.4 Mover of Motion**

**12.4.1** No motion of which notice has been given in accordance with Procedure Rule 12 shall be moved in the absence of the Member of the Council in whose name it stands, unless he or she has given their authority in writing to the Chief Executive that the business shall be taken over by some other Member. Unless moved in accordance with this Procedure Rule or postponed by leave of the Council, such motion shall be considered as dropped and shall not be again moved without fresh notice.

**12.4.2** A Member shall not speak more than once on any motion except to move or speak to an amendment, except in the exercise of the right of reply, or on a point of order, or by way of personal explanation.

## **12.4.3 Secunder of Motion**

No motion of which notice has been given in accordance with Procedure Rule 12 shall be seconded in the absence of the Member of the Council in whose name it stands, unless he or she has given notice in writing to the Chief Executive that the business shall be seconded by another Member.

## **12.4.4 Motions without Notice**

The following motions may be moved without notice:

- a) to appoint a Chairman of the meeting at which the motion is made;
- b) motions relating to the accuracy of the minutes
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a Committee or an individual arising from an item on the summons;
- f) to receive reports or recommendations of the Executive, Committees or officers and determine any resolutions following from them;
- g) to withdraw a motion;
- h) to proceed to the next business;

- i) that the question be now put;
- j) to adjourn a debate;
- k) to adjourn a meeting;
- l) to extend the time limit for speeches as detailed in Procedure Rule 14.5;
- m) that the meeting continue beyond 9.30 pm or such other time as provided for under Procedure Rule 8.1 above;
- n) to suspend a particular Procedure Rule;
- o) that the Council does resolve itself into Committee;
- p) to exclude the public and press in accordance with the Access to Information Procedure Rules;
- q) to give the consent of the Council where the consent of the Council is required by the Constitution.

## **12.5 Alteration of Motions**

A Member may alter a motion which he/she has proposed, or of which notice has been given, with the consent of the seconder and of the Council. The consent of the meeting will be signified without discussion.

## **12.6 Motions Contravening Financial Procedure Rules**

12.6.1 Any motion or report submitted to the Council which, if carried, would increase the Council's net revenue or capital budget or might otherwise contravene Financial Procedure Rules shall stand adjourned without debate and be referred to the Cabinet to receive a report on the detailed financial implications. When the Council reconvenes to consider the motion or report it shall receive the recommendation of the Cabinet on the matter before making a decision on the motion or report and on whether to effect any change to the Council's approved Budget.

12.6.2 In the event of urgency, the Council may consider such an item without delay on receipt of a report from the Cabinet Member with responsibility for Finance as to the financial implications.

12.6.3 Where a report of the Cabinet contains a recommendation at variance with that of another body, the Mayor will call upon the Leader of the Council to move the adoption of the relevant recommendation of the Cabinet. If the matter is then settled or disposed of by the Council, no further discussion on the matter shall take place at that Council meeting and the alternate recommendation shall fall.

## **13. NOTICE OF AMENDMENTS**

13.1 An amendment to any matter contained within the summons to the meeting shall not be discussed unless the mover has given written or electronic notice of the text of the amendment in writing to the Chief Executive not later than noon the day preceding the meeting.

- 13.2 Where notice has been given of more than one amendment to a recommendation or a motion under Procedure Rule 12.1, those amendments shall be considered and put in the order of receipt of the notice.
- 13.3 It is not permissible to amend an amendment.
- 13.4 Amendments may only be merged or composited with the approval of the proposer and seconder of the amendment.

## **14. RULES OF DEBATE**

### **14.1 No Speeches until Motion or Amendment Seconded**

A motion or amendment shall not be discussed unless it has been proposed and seconded.

### **14.2 Right to Require Motion in Writing**

Unless notice of the Motion has already been given in accordance with Procedure Rule 12 or the Motion is to be moved under Procedure Rule 12.4 it shall be reduced to writing and handed to the Mayor before it is further discussed or put to the meeting.

### **14.3 Secunder's Speech**

Any Member who seconds a motion or amendment without making a speech may reserve his/her right to speak at a later period of the debate.

### **14.4 Content of Speeches**

A Member shall direct their speech to the question under discussion or to a point of personal explanation or to a point of order.

### **14.5 Length of Speeches**

14.5.1 Speeches - No Member may speak for longer than four minutes on any motion or amendment. The Council may consent to one extension of thirty seconds per speech.

14.5.2 Replies - A Member replying to debate on any motion or amendment may speak for six minutes. The Council may consent to one extension of one minute per reply.

### **14.6 Amendments to Motions**

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

- a) to refer the matter to an appropriate body or individual for consideration or reconsideration;
- b) to leave out words;
- c) to leave out words and insert or add others (It is not permissible to delete a motion in its entirety and replace with a differently worded amendment); or

- d) to insert or add words; providing the effect of b) and d) is not to negate the motion or introduce a new proposal into the motion.

14.6.2 Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.

14.6.3 If an amendment is rejected, other amendments may be moved on the original motion.

14.6.4 If an amendment is carried, the motion as amended, will take the place of the original motion and will become the substantive motion upon which any further amendment may be moved.

#### 14.7 **Withdrawal of Motion**

A Member may withdraw a motion which he/she has proposed or of which notice has been given with the consent of the seconder and of the Council, the meeting's consent will be signified without discussion. No member shall speak on the motion after the proposer has asked permission for its withdrawal, unless such permission is refused.

#### 14.8 **Right of Reply**

- a) The mover of a motion shall have a right of reply at the close of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is proposed, the proposer of the original motion is entitled to reply at the close of the debate on the amendment.
- c) The proposer of the amendment shall have a right to reply at the close of the debate on the amendment immediately before it is put to the vote.
- d) After every right of reply a decision shall be taken without further discussion.
- e) A Member exercising a right of reply shall not introduce a new matter.
- f) If any business is moved by the Leader of the Council at the closing of the debate the main Opposition Party Group Leader shall have a right to speak prior to the Leader exercising their right of reply.

#### 14.9 **Motions which may be Moved During Debate**

When a motion is under debate, no other motion shall 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 resolve into a Committee in accordance with Procedure Rule 12.4;
- h) to refer the subject of debate to Cabinet or an Overview and Scrutiny Committee;
- i) to exclude the press and public in accordance with the Access to

- Information Procedure Rules;
- j) to not hear further, or to exclude from the meeting, a member named under Procedure Rule 17.

#### **14.10 Closure Motions**

14.10.1 A Member who has not spoken on the matter before the Council may, at the conclusion of a speech of another Member, move without comment:

- "That the matter be now put";
- "That the debate be now adjourned";
- "That the Council proceeds to the next business";
- "That the Council does now adjourn"; or
- "That *the subject of debate* be referred to the Cabinet" or "to an Overview and Scrutiny Committee", as the case may be"

14.10.2 On seconding of any of the above, the Mayor will, if he/she considers that the matter before the meeting has been sufficiently discussed, put that closure motion to the vote. If such a motion is carried, the matter before the meeting shall be put to the vote, subject to the right of reply under Procedure Rule 14.8, or the debate shall be adjourned, or the Council shall proceed to the next business or the Council shall stand adjourned, or the business shall stand referred, as the case may be.

#### **14.11 Points of Order or Personal Explanation**

14.11.1 A Member may raise a point of order or make a personal explanation at any time.

14.11.2 A point of order is an objection submitted to the Mayor claiming some irregularity in the Constitution or the conduct of the meeting or a breach of the law such as:

- a) the use of irrelevant or improper language;
- b) a quorum is not present;
- c) an amendment negates the motion before the meeting;
- d) the motion is ultra vires or not within the scope of the notice given;
- e) no question is before the meeting; or
- f) these Procedure Rules are not being complied with.

14.11.3 A point of order relates to procedure only, and not the arguments or principals or political views put forward, nor with the truth or falsehood, correctness or incorrectness of statements made in the course of debate. A Member raising a point of order may not make a speech beyond clarification of the point of order. Any member raising a point of order shall state at the outset the Procedure Rule considered to have been infringed. Every point of order shall be decided by the Mayor, whose ruling shall be final and not open to discussion, before the debate on the business proceeds.

14.11.4 A personal explanation shall be confined to clarifying briefly some material part of a former speech by that Member at the same meeting which may have been

misunderstood. A personal explanation may also enable a Member to refute or correct a statement attributed to him/her in any action he/she may have taken. The ruling of the Mayor on a point of order or on the admissibility of a personal explanation shall be final and may not be discussed.

## **15. RESCISSION OF PRECEDING RESOLUTION**

No question or matter which within any Municipal Year has been twice decided by the Council in the same way shall, in the same Municipal Year, again be submitted for consideration, and this Procedure Rule shall not be evaded by the substitution of any motion differently worded, but, in principle, the same.

## **16. VOTING**

### **16.1 Majority**

Unless this Constitution or the law provides otherwise, any matter will be determined by a simple majority of those Members voting and present in the room at the time the question was put either by a show of hands, or by use of the Council's electronic voting system if any, or by affirmation of the meeting if there is no dissent;

### **16.2 Procedure for Electronic Voting**

- a. The Mayor/Chair will confirm that all are clear about the motion to be voted upon and declare when the vote is open.
- b. The vote will be open for 20 seconds and Members must cast their vote in this time, using the desk unit to buttons to vote whether they are for the motion/question/decision, against the motion/question/decision, or to abstain from voting.
- c. Members can change their vote while the vote is open. However, their vote cannot be altered once the vote has been closed.
- d. The Mayor/Chair will announce that the vote is closing and confirm the vote is closed after 20 seconds have passed.
- e. The outcome of the vote will be displayed on television screens in the Chamber. The clerk will check the number of votes cast does not exceed the number of Members in attendance and then the Mayor/Chair will announce the outcome of the vote.
- f. The vote will only take effect once the outcome is confirmed by the Mayor/Chair.
- g. Where a simple majority of those Members voting and present in the room at the time the question was put is required (i.e. there is no request for a recorded vote), the outcome of the individual electronic votes will not be published in Minutes, but will be displayed on the television screens in the Council Chamber so that those present can see how the majority decision was reached..
- h. The Mayor/Chair may decide at any time to discontinue use of the electronic voting system if satisfied that it is not working correctly. If the Mayor/Chair considers that there has been any malfunction of the equipment or any

incorrect use of it, s/he may require or allow the vote to be retaken, either electronically or by show of hands.

- i. If the vote is tied and the Mayor/Chair needs to make a casting vote, the casting vote shall be made verbally.
- j. If a Member vacates the Council Chamber during the debate, they must remove their voting card from the slot, and only replace this when they re-enter the Council Chamber.

### **16.3 Chairman's Casting Vote**

In the case of equality of votes, the Mayor shall have a second or casting vote.

### **16.4 Recorded Vote**

If required by law or on the requisition of any member supported by five other Members who signify their support by show of hands before the voting on any question, the vote shall be recorded as to how each Member present and voting gave their vote. The procedure outlined in Paragraph 16.2 shall be followed for electronic voting, or where an electronic system is not working correctly or unavailable, the Mayor/Chair will take the vote by roll call. Where recorded votes are requested, the Minutes of the Council/Committee will record whether that person cast his or her vote for the question or against the question, or whether they abstained from voting.

### **16.5 Recorded Vote at Budget Council**

Immediately after any vote is taken at a budget meeting of the Council there must be recorded in the minutes of the proceedings of that meeting the names of the members who cast a vote for the decision or against the decision or who abstained from voting . “ Budget decision meeting “ means a meeting of the Council at which it makes a calculation under the Local Government Finance Act 1992 or issues a precept under Chapter 4 of Part 1 of that Act. . The Procedure outlined in Paragraph 16.2 and 16.4 shall be followed for recorded votes at the budget meeting of the Council.

### **16.6 Individual Member Recorded Vote**

Where, immediately after a vote is taken at a meeting of the Council, any Member so requires, the Minutes of Council will record whether that person cast his or her vote for the question or against the question, or whether he/she abstained from voting.

### **16.7 Voting on Appointments**

- 16.7.1 Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a majority in favour of one person, the name of the person receiving the least number of votes of those present and voting shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

- 16.7.2 Where there are at any time two or more vacancies on the same body to be filled by the Council and more persons are nominated to fill those vacancies, each vacancy shall be dealt with separately in accordance with paragraph a) above.

## **17. MEMBERS' CONDUCT**

- 17.1 The Mayor may call the attention of the Council to continued irrelevancy, tedious repetition, unbecoming language or any breach of order on the part of a Member addressing the meeting and, after two warnings, shall not allow the Member to proceed. The Mayor shall call upon another Member to address the Council or, if no Member shall rise (subject to the right of the Mover to reply), put the question to the vote without further debate.
- 17.2 No Member may impute motives to, or use offensive expressions concerning, any other Member of the Council. In the event of any Member offending against this Rule, the Mayor may call upon the Member to withdraw the offensive remark.
- 17.3 If any Member of the Council persists in disregarding the authority of the Mayor or behaves irregularly, improperly or offensively or wilfully obstructs the business of the Council, the Mayor may call upon the Member to retire from the meeting for the remainder of the business.

## **18. SUSPENSION OF SITTING**

In a case of defiance of the authority of the Mayor, the Mayor may, on obtaining the consent of a majority of the Members of the Council present and voting on the question so to do, have the offending Member or Members of the Council, removed, and either declare the meeting closed (and leave the Chair) or declare the meeting to be adjourned indefinitely or until some stated time. Upon such declaration the meeting shall forthwith be closed or stand adjourned accordingly, and no business shall be transacted until the next duly convened meeting, or until the resumption of the meeting, in accordance with the Mayor's pronouncement.

## **19. POWER TO RESOLVE INTO COMMITTEE**

- 19.1 Should a Motion be moved in accordance with Procedure Rule 11.4(p) at the close of any speech, the Council may pass a resolution resolving itself into Committee.
- 19.2 These Council Procedure Rules shall apply to proceedings of the Council in Committee, except that any Member may speak more than once with the permission of the Mayor.



## **20. QUESTIONS AND CONFIDENTIAL OR EXEMPT INFORMATION**

- 20.1 If any question arises on any matter as to the appointment, promotion, dismissal, salary or conditions of service, or as to the conduct of any person employed by the Council, such question shall not be the subject of discussion until the Council has decided whether or not the power of exclusion of the public under Section 100A(4) of the Local Government Act 1972 shall be exercised.
- 20.2 If any question arises on any matter and it is questioned whether a consideration of that matter will require matters containing confidential or exempt information to be disclosed, such question shall not be the subject of discussion until the Council has decided whether or not the power of exclusion of the public under Section 100A(4) of the Local Government Act 1972 shall be exercised.

## **21. ADMISSION OF THE PUBLIC TO MEETINGS**

- 21.1 The public shall be admitted to all meetings of the Council so far as there is accommodation, but:
- a) at any meeting the Council may temporarily exclude the public from such meeting or any part thereof in accordance with Section 100A(2) or (4) of the Local Government Act 1972;
  - b) if a member of the public interrupts the proceedings at any meeting, the Mayor may, after warning, order that he/she be removed from the Council Chamber or that the part of the Chamber open to the public be cleared in accordance with Section 100A(8) of the Local Government Act 1972;
  - c) if a member of the public making an audio or video recording of the meeting causes disruption to the meeting or to other members of the public in attendance, the person shall comply with any direction of the Mayor;
  - d) a member of the public making an audio or video recording of the meeting shall remove their recording equipment from the room should the Council resolve to exclude the press and public.
- 21.2 Any person attending a meeting for the purpose of reporting the proceedings is to have reasonable facilities made available for taking their report.

## **22. ANNUAL BOROUGH REPORT**

The Mayor will call upon the Leader to present an Annual Borough Report. After Council has considered the report it will be:

- a) disseminated as widely as possible within the community and to agencies and organisations in the area; and

- b) considered by the Leader in proposing the Budget and Policy framework to the Council for the coming year.

## **23. YOUTH COUNCIL ANNUAL REPORT**

The Mayor will call upon the Youth Council on a date within the Municipal Year to present to Council an annual presentation of work undertaken by the Youth Council.

## **24. RULES WHICH APPLY TO COMMITTEES OF THE COUNCIL**

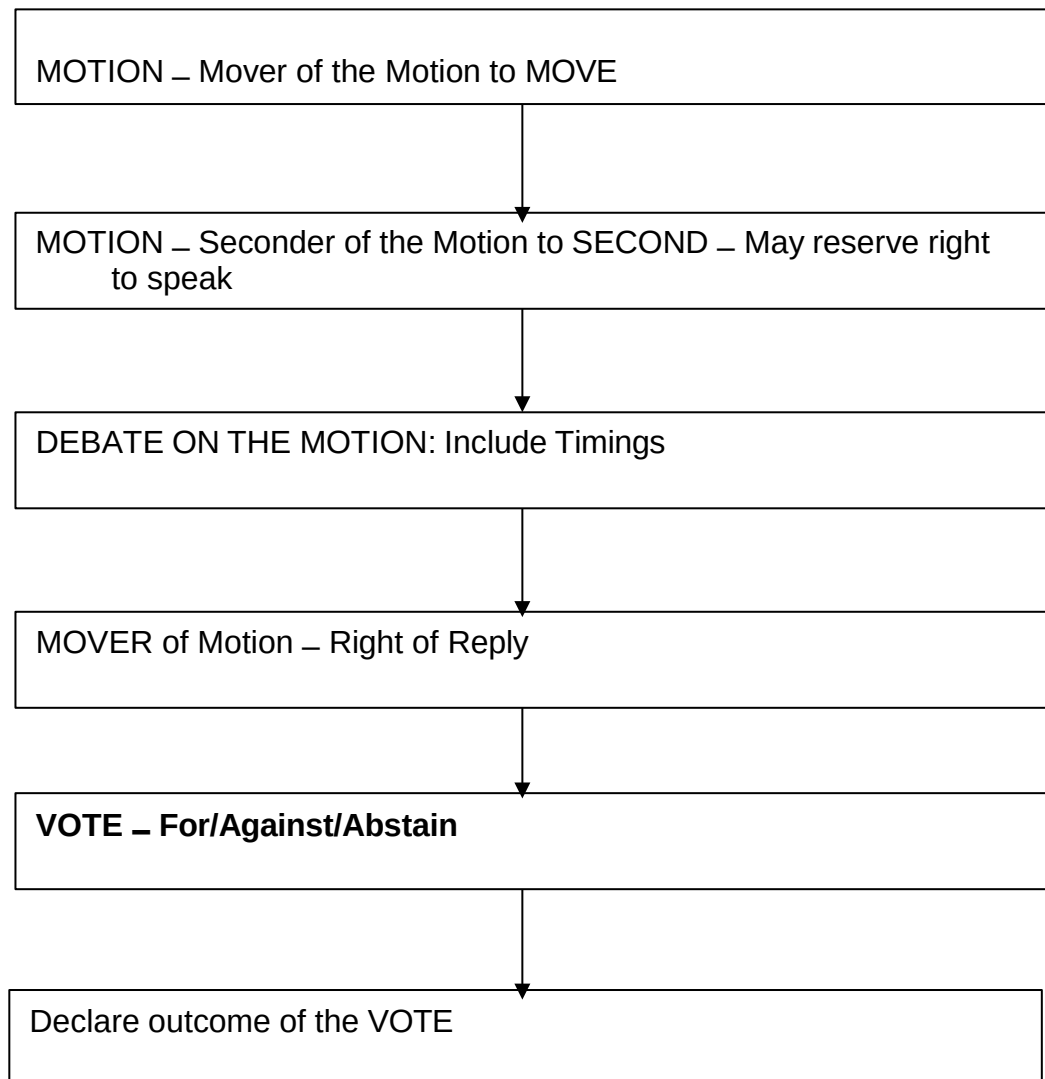
The following Council Procedure Rules will apply to all Committees and SubCommittees of the Council as described within Section 4 of Part 3 of this Constitution -

- Rule 4 Notice and Summons to Meeting
- Rule 5 Chair of Meeting ( reference to the Mayor or Chair also includes the chair of Committees and sub – committees)
- Rule 6 Speaking to the Council (except for requirement to stand when speaking)
- Rule 7 Quorum (quorum for individual meetings are specified at Section 4 of Part 3 of this Constitution)
- Rule 9 Signing of Minutes
- Rule 10 Public Questions (for all non-full Council Meetings, a public question must be received before 12 noon 2 working days before the date of the meeting)
- Rule 14 Rules of Debate (except for time limits on speaking and, with the consent of the Chair, a Member may speak more than once on any matter)
- Rule 16 Voting (but not 16.3)
- Rule 17 Members' Conduct
- Rule 18 Suspension of Sitting
- Rule 20 Questions and Confidential or Exempt Information
- Rule 21 Admission of the public to meetings

## **AGENDA AND TIMINGS FOR COUNCIL MEETING**

1. Minutes
2. Declaration of interest
3. Urgent business
4. Communications
5. Petitions
6. Youth Council       **20 mins**
7. Public questions   **15 mins**
8. Leader and Cabinet member reports and questions       **90 mins**
9. Administration Motions   **30 mins**
10. Opposition Motions       **30 mins**
11. Other business, including reports

**Note** Any time not utilised in Items 1 – 10 will be allocated to Item 11.  
**PROCEDURE FOR NOTICE OF MOTIONS (NO AMENDMENT)**



## RULE ON TIMINGS

**(a)** Subject to (b) below, no Member shall speak longer than four minutes on any **Motion or Amendment**, or by way of question, observation or reply, unless by consent of the Members of the Council present, he/she is allowed an extension, in which case only one extension of thirty seconds shall be allowed.

**(b)** A Member replying to debate or questions shall be entitled to speak for six Minutes, and shall be allowed, with the consent of the Members of the Council present, on extension of one minute. (This would be the MOVER)

## PROCEDURE FOR NOTICE OF MOTIONS (WITH AMENDMENT)

