

PART 4.1

COUNCIL PROCEDURE RULES

Note: Please refer to the [Practice Note](#) containing the current list of the persons referred to below as “Designated Officer”

CONTENTS

4.1.0	Introduction	Page 3
4.1.1	Annual Meeting of the Council	Page 3
	Timing and business	
	Election of Leader	
	Removal of the Leader	
	Notification of Cabinet Members	
	Notification of Deputy Leader	
	Presentation of Leader's Scheme of Executive Delegation	
	Establishment and Appointment of Committees	
	Appointment of Members to Non-Executive Outside Bodies	
4.1.2	Ordinary Meetings of the Council	Page 6
4.1.3	Extraordinary Meetings of the Council	Page 6
4.1.4	Time and Place of Meetings	Page 6
4.1.5	Notice and Summons	Page 7
4.1.6	Chairing Meetings	Page 7
4.1.7	Quorum	Page 7
4.1.8	Members' interests at Council meetings	Page 7
4.1.9	Behaviour of Councillors and the Public	Page 7
	When speaking	
	Councillor not to be heard/leaves the meeting	
	General disturbance by councillors	
	Public disorder	
	General disturbance by the public	
4.1.10	Questions, Petitions and Deputations	Page 8
	Questions by the public	
	Petitions	
	Deputations	
	Questions by councillors to Cabinet	
4.1.11	Proposals for Debate	Page 11
	Notice	
	Scope	
	Withdrawal or abandonment of proposal	
	Debate on proposals	

4.1.12	Motions without Notice	Page 13
4.1.13	Rules of Debate	Page 14
	Motions normally in writing	
	Mover of a motion	
	Secunder on a motion	
	Speeches on a motion	
	Speaking more than once	
	Amendments to motions	
	Length of Speeches	
	Alteration of motion	
	Withdrawal of motion	
	Right of reply	
	Procedural motions during debate	
	Closure motion	
	Point of procedure	
	Personal explanation	
4.1.14	Changing Earlier Decisions	Page 17
4.1.15	Voting	Page 17
	Agreement by majority	
	Mayor's casting vote	
	Voting by show of hands	
	Recorded vote	
	Record of individual vote	
4.1.16	Minutes	Page 18
4.1.17	Record of Attendance	Page 18
4.1.18	Reports of Cabinet, Committees and Officers	Page 18
	Reports for decision	
	Reports for information	
	Reports from Officers	
4.1.19	Members of Other Elected Bodies	Page 19
4.1.20	Recording of Council meetings	Page 20

PART 4.1 COUNCIL PROCEDURE RULES

4.1.0 INTRODUCTION

This Part of the Constitution sets out the Procedure Rules relating to the conduct of meetings of the Full Council. Part 4.2 contains the Rules relating to Cabinet and Committee meetings.

4.1.1 ANNUAL MEETING OF THE COUNCIL

Timing and Business

4.1.1.1 In a year in which City Council elections are held, the Annual Meeting shall take place within 21 days of the retirement of outgoing councillors. In any other year, the Annual Meeting will be held on an agreed date in May.

4.1.1.2 The Annual Meeting will: -

- a) elect a councillor to preside if the Mayor or Deputy Mayor are not present;
- b) elect the Mayor for the forthcoming municipal year and conduct any ceremony associated with that;
- c) appoint the Deputy Mayor for the forthcoming municipal year and conduct any ceremony associated with that;
- d) receive any announcements from the Mayor;
- e) elect the Leader of the Council after each ordinary election or when the position is vacant;
- f) be notified of appointments to the Cabinet, including the appointment of the Deputy Leader, and the Leader's Scheme of Executive Delegation;
- g) establish committees of Full Council, elect the chair and vice chair of those committees and appoint their members; and
- h) appoint councillors to non-executive outside bodies.

Election of Leader

4.1.1.3 The Leader of the Council shall be elected from among the members of the Council at the first Annual Meeting after each ordinary elections for the whole Council.

4.1.1.4 The person elected in such circumstances shall serve as Leader from the date of the Annual Meeting for a period of four years, unless they become disqualified, is removed as Leader or resigns as a councillor.

4.1.1.5 The election of the Leader shall be conducted in the following way: -

- the person presiding at the meeting shall invite nominations from
- a) among the members of the Council;
- voting on nominations shall be by way of a show of hands by those

- b) councillors present at the meeting and any decision shall require only a simple majority of those voting;
where there is only one nomination, the Council shall vote on whether
- c) to elect that person as Leader;
where there are two nominations, the nominee with the greater
- d) number of votes shall be elected; and
where there are three or more nominations, the Council shall vote for
- e) each nominee. The nominee with the fewest votes will take no further part in the election (besides voting) and a further round or rounds of voting shall be carried out until one candidate has been elected.

Removal of Leader

4.1.1.6 The Leader may only be removed by a resolution of the Full Council at one of its meetings on a vote taken by the majority of councillors present and voting.

4.1.1.7 If the Leader is removed in accordance with Rule 4.1.1.6 of this Part, Full Council shall elect a new Leader at the same or next subsequent meeting. The person elected shall serve for the remainder of the former Leader's term of office unless they resign, become disqualified or are removed as Leader.

Notification of Cabinet Members

4.1.1.8 At the meeting at which the Leader is elected, or the next meeting, and at each subsequent Annual Meeting, they shall report to the Council the names of up to nine members they have appointed to serve as members of the Cabinet and details of the portfolios which they will oversee or for which they will be responsible. The Leader will also report any appointments they have made to the position of Cabinet Deputy.

4.1.1.9 Those members will normally serve as Cabinet Members and Cabinet Deputies until: -

- a) they resign;
- b) they are removed from office by the Leader; or
- c) they are no longer councillors.

Notification of the Deputy Leader

4.1.1.10 At the meeting at which the Leader is elected, or the next meeting, they shall inform Full Council which of the members of the Cabinet they have appointed as Deputy Leader. The Deputy Leader shall serve for the term of office of the Leader, unless they resign, become disqualified as a councillor or are removed by the Leader. The Leader may remove a person as Deputy Leader at any time and appoint another member of the Cabinet to the post. This will be done by notice in writing to the Legal and Democratic Services Manager, who will report the appointment to the next available meeting of the Full

Council.

4.1.1.11 If it becomes necessary to elect a new Leader, the Deputy Leader will carry out the duties of the Leader until a new Leader is elected at the next meeting of the Full Council.

4.1.1.12 If the Deputy Leader is unable to act or the office of Deputy Leader is vacant, then the Cabinet must act in their place or arrange for a Cabinet Member to act in their place.

Presentation of Leader's Scheme of Executive Delegation

4.1.1.13 At the meeting at which the Leader is elected, or the next meeting, they shall report to Full Council the Scheme of Executive Delegation as in rule 4.1.1.14 below.

4.1.1.14 The Leader's Scheme of Executive Delegation will specify to what extent the Council's executive powers and functions will be performed by:

- a) the Leader;
- b) the Cabinet meeting as a collective body;
- c) any committee(s) of the Cabinet;
- d) individual members of the Cabinet;
- e) officers of the Council;
- f) Joint Executive Committees; or
- g) Joint Arrangements

4.1.1.15 The Leader may at any time amend the Scheme of Executive Delegation or any function delegated by them in accordance with Rule 3.3.2.7.

4.1.1.16 As soon as possible after the meeting to which it is presented, or after any amendments are made, the Designated Officer shall incorporate or amend the Leader's Scheme of Executive Delegation in the general scheme of delegation at Part 3.3 of the Constitution.

Establishment of, and Appointment to, Committees and other Member Bodies

4.1.1.17 At the Annual Meeting, Full Council will decide: -

- a) which committees to establish for the forthcoming municipal year;
- b) the size of each committee;
- c) the allocation of seats to political groups in accordance with the political balance rules;
- d) the membership of each committee; and
- e) the chair and vice chair of the committees.

Appointment of Councillors to Non-Executive Outside Bodies

4.1.1.18 At the Annual Meeting, the Council will decide which councillors to

appoint to serve on outside bodies, unless the appointment is an Executive Function.

4.1.2 ORDINARY MEETINGS OF THE COUNCIL

4.1.2.1 Ordinary meetings will be held on the dates set out in the programme of meetings produced annually by the Designated Officer. Ordinary meetings will: -

- a) elect a councillor to preside if the Mayor and Deputy Mayor are not present;
- b) receive any apologies for absence;
- c) approve the minutes of the last meeting;
- d) receive declarations of interest from councillors;
- e) deal with any item of business which, by law, must have precedence;
- f) receive any announcements from the Mayor;
- g) receive any questions from the public;
- h) receive petitions from the public in accordance with the Petitions Scheme in Part 4.3;
- i) receive any questions from councillors to Cabinet members;
- j) consider reports from the Cabinet, the Council's committees and officers;
- k) consider motions or Proposals for Debate;
- l) consider any other business specified on the agenda; and
- m) deal with any business brought before the Council as a matter of urgency.

4.1.3 EXTRAORDINARY MEETINGS OF THE COUNCIL

4.1.3.1 Additional meetings of the Council may be called by: -

- a) the Council by resolution;
- b) the Mayor;
- c) the Chief Executive; or
- d) any five councillors, if the Mayor has failed to call a meeting within seven days of a signed request by those five councillors.

4.1.3.2 Only the business for which the meeting has been called will be carried out at an extraordinary meeting.

4.1.4 TIME AND PLACE OF MEETINGS

4.1.4.1 The Full Council will normally meet at the Civic Centre, Chelmsford at 7.00pm. If meetings cannot be held at the Civic Centre, the notice of

and summons to the meeting will specify the venue.

4.1.5 NOTICE OF AND SUMMONS TO MEETINGS

4.1.5.1 The Designated Officer will give public notice of meetings in accordance with the Access to Information Rules in Part 4.6 and will send a summons to each councillor specifying the date, time and place of the meeting and the business to be transacted.

4.1.5.2 The cancellation or postponement of a scheduled meeting will follow the procedure set out in the Practice Note associated with this Rule.

4.1.6 CHAIRING MEETINGS

4.1.6.1 Meetings of the Full Council will be chaired by the Mayor or, in their absence, the Deputy Mayor. In the absence of both, the Full Council will elect a councillor to chair the meeting.

4.1.7 QUORUM

4.1.7.1 The quorum of a meeting will be one quarter of the total membership of the Full Council.

4.1.7.2 If there is no quorum 15 minutes after a meeting was due to start, the meeting will be adjourned to a date and time specified at the meeting or notified later. If at any time during a meeting there are insufficient numbers present to form a quorum the meeting will be adjourned.

4.1.8 COUNCILLORS' INTERESTS AT COUNCIL MEETINGS

4.1.8.1 A councillor must, where they have a Disclosable Pecuniary Interest (DPI) as defined under the Code of Conduct for Councillors in Part 5.1: -

- a) disclose that interest at the commencement of the meeting, or as soon as they become aware that they have such an interest, in any items under debate at that meeting; and
- b) withdraw from the meeting room, including any public areas, during the whole of the consideration of any item of business in which they have a DPI, other than where they are permitted to remain as a result of the grant of a dispensation.

4.1.9 BEHAVIOUR OF COUNCILLORS AND THE PUBLIC

When speaking

4.1.9.1 All councillors shall be entitled to speak at meetings. The Mayor is charged with ensuring that they may do so if they wish and that proceedings are conducted in a fair and orderly manner. When speaking at Full Council meetings councillors must, if able to do so, stand and address the meeting through the Mayor. If more than one councillor signals their wish to speak by standing, the Mayor will ask one to speak; the other(s) will be seated and the Mayor will give them precedence as the next speaker. Other councillors must remain seated whilst a councillor is speaking unless to make a point of procedure or point of personal explanation.

4.1.9.2 If the Mayor stands during a debate any councillor speaking at the time must stop and sit down. The meeting must be silent. The Mayor will have precedence at all times.

Councillor not to be heard further/leaves the meeting

4.1.9.3 If a councillor persistently disregards the ruling of the Mayor by behaving improperly, offensively or obstructively, the Mayor may move that the councillor be not heard further. If seconded, the motion will be voted on without discussion. The Mayor may also ask the councillor to apologise.

4.1.9.4 If the councillor continues to act improperly after a motion that they not be heard further, the Mayor may move either that the councillor leaves the meeting or that the meeting be adjourned for a specified period. If seconded, the motion will be voted on without discussion.

General disturbance by councillors

4.1.9.5 If general disturbance by councillors makes conduct of the meeting impossible, the Mayor may adjourn the meeting for as long as the Mayor thinks necessary.

Public disorder

4.1.9.6 If a member of the public interrupts proceedings, they will be warned by the Mayor. If they continue to interrupt, the Mayor will order their removal from the meeting room.

4.1.9.7 If there is a general disturbance in any part of the meeting room, the Mayor may call for that part to be cleared.

4.1.10 QUESTIONS, PETITIONS AND DEPUTATIONS

Questions by the public

- 4.1.10.1 At each ordinary meeting of the Full Council any Citizen may, after having given their name (and address to officers), ask one question at the allotted time. The question may be put generally to the Council and the Mayor will decide who will respond to it. All questions must be submitted in writing to the Legal and Democratic Services Manager no later than 24 hours before the meeting at which it is to be asked. Copies of all questions will be made available with the agenda on the Council's website no later than six hours before the meeting. The Chair of a meeting may, at their discretion, permit a question to be put at the meeting where less than 24 hour notice has been given.
- 4.1.10.2 The time taken to ask each question shall not exceed two minutes and the total time for public questions at Full Council meetings shall not exceed 30 minutes.
- 4.1.10.3 The Mayor may disallow a question if it: -
- a) concerns a matter for which the Council is not responsible or does not affect the City; or
 - b) is defamatory, frivolous or offensive; or
 - c) is substantially the same as another question to the same meeting; or
 - d) requires disclosure of exempt or confidential information.
- 4.1.10.4 No supplementary question may be asked.
- 4.1.10.5 Questions shall be put in the order in which they have been received, although the Mayor may group together questions on a common subject.
- 4.1.10.6 The person to whom a question is asked may decline to answer but shall give a reason for doing so. Where a response is given, the question will be answered without discussion and the answer given will be adequate and reasonable in the context of the question. Where a question cannot be answered orally at a meeting, a written response may be provided after the meeting.
- Petitions**
- 4.1.10.7 Petitions submitted directly to the Full Council shall be accepted and responded to in accordance with the Petitions Scheme in Part 4.3. The designated officer shall be responsible for the administration of the Scheme.
- 4.1.10.8 Where it has been decided that the Council has all the necessary information before it to make an informed decision, the petition organiser will have up to 10 minutes to present the petition at the

Council meeting.

- a) Where the subject matter relates to a Council function, councillors will debate it for up to 20 minutes and take a decision;
- b) if the subject matter relates to a function that Full Council has delegated to a Committee, it will stand referred to that Committee without discussion; or
- c) if the subject matter relates to an Executive function, it will stand referred to the Cabinet without discussion.

4.1.10.9 If it has been decided that the Council does not have all the necessary information it requires to make an informed decision, the petition organiser will be given up to 10 minutes to present the petition at the Council meeting, but the debate by councillors will then be limited to deciding where the petition should be considered at a future meeting of either:

- a) Full Council, where the subject matter relates to a Council function;
- b) another Committee if the petition relates to a function that Full Council has delegated to it; or
- c) the Cabinet, if the subject matter relates to an Executive function;

The petition organiser will receive written confirmation of the decision. This confirmation will also be published on the Council's website.

Deputations

4.1.10.10 Every deputation wishing to be heard by a Full Council meeting shall send a written statement to the Designated Officer 14 days before the meeting at which the deputation wishes to be heard.

4.1.10.11 The statement referred to in 4.1.10.10 above must set out the reason for the request to be heard and name the persons who will form the deputation; each deputation shall comprise not fewer than three and no more than five persons.

4.1.10.12 Every deputation shall refer to some matter in respect of which the Council has powers or duties.

4.1.10.13 Not more than two members of the deputation may address the Council and shall speak for not longer than five minutes each.

4.1.10.14 There shall be no debate on the matter(s) raised by the deputation but it shall be open to the Mayor to allow questions from councillors designed to aid understanding or obtain clarification of the matters raised.

4.1.10.15 The Mayor's consent must be given before any deputation may be heard. If such consent is withheld the Designated Officer will immediately notify all councillors of the Mayor's decision. Any 15 councillors may state, in writing to the Designated Officer at least 10 days before the meeting at which the deputation wishes to be heard, that they wish the deputation to be received.

4.1.10.16 Not more than two deputations may be received at any meeting of the Full Council. The order in which they are invited to address the Full Council shall be decided by the Mayor.

Questions by councillors to Cabinet Members

4.1.10.17 A maximum of one hour shall be allowed at Full Council meetings for questions to be put by councillors to the Leader and Cabinet members on matters for which they have responsibility and which are not already on the agenda.

4.1.10.18 Written questions must be submitted, either by letter or email, to the Designated Officer by 12 noon on the second working day before the meeting (e.g. the Monday if the meeting is on a Wednesday). Questions will be put in the order in which they are received.

4.1.10.19 Copies of all questions will be distributed at the meeting. Rather than read the question in full, the questioner may refer to the relevant question "as tabled".

4.1.10.20 Officers will prepare suggested replies to or background information on each question, if the relevant Cabinet Member so desires. The Cabinet Member may use that information in full or in part in replying to the question.

4.1.10.21 The questioner may either: -

- a) ask a supplementary question if it is on a point arising from the answer; or
- b) comment on the answer to the original question. If the option to comment is chosen the Leader or Cabinet Member shall have the chance to reply.

4.1.10.22 As soon as possible after the meeting a record of the replies given to questions put under this Rule will be distributed to all councillors and

published on the Council's website. The record, although not necessarily a verbatim one, will accurately reflect the responses given to the initial and any supplementary questions.

4.1.11 PROPOSALS FOR DEBATE

Notice

4.1.11.1 Written notice of every Proposal for Debate at Full Council Meetings except for those which can be moved without notice (See Rule 4.1.12 below), shall be sent to the Designated Officer by midnight 14 clear calendar days before the meeting at which it is to be moved.

4.1.11.2 The Proposal for Debate must be signed (unless it is submitted in the form of an email) and must state the names of the councillors who will move and second the proposal. The Designated Officer shall date and number each notice of Proposal for Debate and shall include it on the agenda in the order in which it is received.

4.1.11.3 No councillor may have more than two Proposals for Debate at one meeting.

4.1.11.4 If in the opinion of the Designated Officer a notice of Proposal for Debate is scurrilous, improper, capricious or irrelevant, the notice shall be returned to the councillor who sent it, with a request either that it be reworded or withdrawn. If the same notice is sent again to the Designated Officer with a request for its inclusion on the agenda and that request is supported by no fewer than fifteen named councillors, the notice shall be added to the agenda and list the names of the councillors who supported its inclusion. If the re-submitted motion is delivered less than 10 days before the meeting, it shall be added to the agenda for the next meeting.

4.1.11.5 Any doubt or dispute over the content or handling of a Proposal for Debate shall be passed to the Mayor for a final decision.

Scope

4.1.11.6 Proposals for debate under Rule 4.1.11 must be about matters for which the Council is directly responsible.

4.1.11.7 A Proposal for Debate shall not be accepted if it relates to a matter already on the agenda for the same meeting.

Withdrawal or abandonment of Proposals for Debate

4.1.11.8 The councillor who submitted the Proposal for Debate may request, in writing before the meeting, that it be put to a later meeting or

withdrawn. If a proposal is not moved at the meeting it shall, unless postponed to the next meeting by consent of the Council, be treated as abandoned and shall not be put forward again without fresh notice. In the absence of the councillor who gave the notice of Proposal for Debate, any other councillor authorised by them in writing may move it unless the originator has given written notice to the Designated Officer that the notice should be withdrawn or put to a later meeting.

Rules of Debate on Proposals for Debate

4.1.11.9 The debate on a Proposal for Debate shall be conducted in accordance with the Rules of Debate (Rule 4.1.13 below).

4.1.11.10 A maximum of one hour shall be allowed for the discussion of all Proposals for Debate. The consideration of an individual proposal shall not exceed 30 minutes.

4.1.11.11 The Mayor shall inform the meeting of the names of those councillors who, in submitting a Proposal for Debate, have been deemed to have formally moved and seconded it. The mover shall then be invited to speak to the proposal. The proposal must be seconded but the seconder may, at this stage, reserve the right to speak.

4.1.11.12 The Mayor shall then invite a councillor not of the mover's political group to speak on the motion.

Motion to refer a Proposal for Debate

4.1.11.13 At the end of any councillor's speech they may move that the Proposal before the Council be referred without further discussion to the appropriate body for consideration and report. (This is known as a "motion to refer".) The reason for referring the Proposal to another body shall be given.

4.1.11.14 If a motion to refer is seconded it shall be put to the vote without further discussion.

- i. If it is lost, discussion on the original Proposal shall proceed.
- ii. If it is carried, the original Proposal shall stand referred to the appropriate body.

4.1.11.15 If no motion to refer is moved, the debate on the Proposal shall proceed.

4.1.11.16 If a motion to refer is not moved at the time described in Rule 4.1.11.12, it may be moved subsequently during the debate on a Proposal and shall follow the procedure described in that Rule.

4.1.12 MOTIONS WITHOUT NOTICE

4.1.12.1 The following motions may be moved without notice: -

- a) to appoint a Chair of the meeting;
- b) proposals relating to the accuracy of the record of the previous meeting (the minutes);
- c) to change the order of business on the agenda;
- d) to refer a matter to another body of the Council or a proposal to postpone consideration of the subject of debate;
- e) appointment of a Council body or any of its members if this arises from an item mentioned in the agenda of the meeting;
- f) adoption of reports and recommendations of a Cabinet or non-executive body or officers and any consequent resolutions;
- g) to withdraw a motion;
- h) to amend an amendment to a motion
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) to adjourn a meeting;
- m) to authorise the fixing of the Seal of the Council to documents;
- n) to extend the time limit for speeches;
- o) a motion of no confidence;
- p) to suspend a specified Council Rule;
- q) a motion to exclude the public from the meeting in accordance with the Access to Information Rules;
- r) that a councillor be required to leave the meeting;
- s) to give the consent of the Council where the consent of the Council is required by these Rules;
- t) to set the date of any special meeting of the Council;
- u) the Closure of debate.

4.1.13 **RULES OF DEBATE**

How to notify an intention to move a motion¹

4.1.13.1 Every motion from a councillor, other than those set out in rule 4.1.12, must: -

- a) be dealt with in accordance with Rule 4.1.11;
- b) be submitted in writing; and
- c) given in advance to the Mayor and the Designated Officer.

How to move a motion

4.1.13.2 Each motion must be: -

¹ See also: [Rules of Debate Practice Note, available on the Council's website.](#)

- a) formally moved and
- b) its purpose explained.

Seconding of a motion

4.1.13.3 Each motion must be formally seconded, but:-

- a) the seconder may either speak to the motion immediately; or
- b) reserve his right to speak and do so at the end of the debate.

Content and length of speeches on a motion

4.1.13.4 Speeches must relate: -

- a) directly to the motion;
- b) to a point of procedure; or
- c) to provide a personal explanation as to what was meant by an earlier comment.

4.1.13.5 The following times will be applied to the length of the speeches and the Mayor will give an indication when the time has expired: -

- a) the mover of a motion – up to 10 minutes
- b) the seconder and subsequent speakers – up to 5 minutes
- c) the mover exercising the right of reply – 5 minutes

4.1.13.6 Any speaker may request a specified extension to the time limits. The Mayor will put the request to the vote by all councillors without debate.

Speaking more than once

4.1.13.7 With the exception of the mover of a motion as set out in rule 4.1.13.5 c) above, a councillor may not speak more than once during a debate, other than: -

- a) where an amendment on a motion is moved and seconded, in which case a councillor can speak once on **each** amendment;
- b) to move a further amendment if the motion has been amended since they last spoke;
- c) if their last speech was to move or debate an amendment, to speak on the original or substantive motion;
- d) on a point of procedure; or
- e) to provide a personal explanation.

Amendments to motions

4.1.13.8 An amendment to a motion must relate to it and will either be: -

- a) to refer the matter to another body for consideration;

- b) to leave out words;
- c) to leave out words and add others;
- d) to add words.

4.1.13.9A An amendment should not negate the motion. With the exception of amendments referred to in Rule 4.1.13.9B below, a proposed amendment to any recommendation, motion or proposal for debate on the agenda for a meeting of the Council must be submitted in writing to the Legal and Democratic Services Manager no later than 48 hours before the meeting at which it is to be considered.

4.1.13.9B Amendments that relate to a report or recommendations on the setting of the annual budget must be sent to the Legal and Democratic Services Manager and the Section 151 Officer no later than noon on the second day before the meeting at which it is to be considered (i.e. by noon on the Monday if the meeting is on a Wednesday). The Section 151 Officer will assess the financial implications of the amendment. The Legal and Democratic Services Manager will otherwise assess whether the amendment is valid. Copies of any amendments submitted will be sent to the relevant Cabinet Member(s) as soon as practicable after the deadline for submission. No amendment will be notified to other councillors before that time without the express permission of the councillor who submitted it.

4.1.13.9C If valid, amendments will be published with the agenda for the meeting on the Council's website no later than noon the day before the meeting.

4.1.13.9D The exceptions to the above rule are:
(a) technical amendments may be moved to correct factual errors;
(b) the Legal and Democratic Services Manager will have discretion to permit amendments from members if satisfied that the need for the amendment could not have been anticipated before the deadline for its submission and that advance notice of such amendments was given as soon as reasonably practical.
(c) a minor amendment that did not substantially affect the proposed budget and did not result in a need to amend the Council Tax resolution to be moved at the meeting without notice.

If notice of an amendment to a motion on the agenda has been received prior to the meeting, the Mayor will ask the mover of the original motion to indicate if they agree to accept the amendment. If so, and no other councillor objects, the amendment will become part of the substantive motion without debate.

4.1.13.10 Each amendment shall be dealt with before a further amendment is considered.

4.1.13.11 With the consent of the seconder, the mover of a motion may accept an amendment to it without the amendment being put to the vote.

4.1.13.12 The minutes of the meeting will record a summary of the debate, the final agreed proposal and, if required or requested, details of a recorded vote taken under Rule 4.1.15.4 below.

Alteration of motion

4.1.13.13 The mover of a motion may alter it with the consent, without discussion, of the meeting.

Withdrawal of a motion

4.1.13.14 A motion may be withdrawn in the following circumstances: -

- a) by the councillor who moved it, provided they have the consent of the meeting and that of the seconder;
- b) the Mayor will ask the meeting to vote on whether to accede to the councillor's request without debate;
- c) once a motion has been withdrawn it cannot be debated any further.

Right of Reply

4.1.13.15 The councillor who moved the motion may: -

- a) reply at the end of the debate just before the vote is put to the meeting; and
- b) shall have the right to reply on an amendment only at the close of the debate on that amendment and must not introduce any new issues to the debate in that closing speech.

4.1.13.16 The councillor who moved an amendment will have no right of reply during the debate of their amendment.

4.1.13.17 Procedural motions that may be moved during the debate

The following procedural motions may be moved during the debate on a motion:

- a) to withdraw a motion;
- b) to amend a motion;
- c) to refer a motion to another body of the Council;
- d) to proceed to the next business;
- e) that the question be now put;
- f) to adjourn the debate;
- g) to adjourn the meeting;
- h) to exclude the public in accordance with the Access to Information

- i) Rules; and
not to hear further a member or to exclude a member from the meeting under Rules 4.1.9.3 and 4.1.9.4.

Closure Motion

4.1.13.18 In addition, the following procedural motions may be moved at the end of any councillor's speech:

- a) *To proceed to the next business*: If the motion is seconded, the mover of the original motion may have a right of reply before the procedural motion is put to the vote.
- b) *That the question be now put*: If the motion is seconded, the mover of the original motion may have a right of reply before the procedural motion is put to the vote.
- c) *To adjourn a debate*. If the motion is seconded, it will be put to the vote immediately. The mover of the original motion will not have the right of reply to their motion.
- d) *To adjourn the meeting*. If the motion is seconded, it will be put to the vote immediately. The mover of the original motion will not have the right of reply to their motion.

4.1.13.19 If any closure motion is not agreed then it may not be proposed again until at least 20 minutes later, unless it is moved by the Mayor.

Point of Procedure

4.1.13.20 A point of procedure:

- a) must relate only to an alleged breach of these rules or law;
- b) the rule or law that is alleged to have been breached must be specified; and
- c) will only be taken at the end of a speech by a councillor; unless
- d) there are exceptional and urgent circumstances, in which case the point of procedure can be taken during the speech of the councillor that was interrupted.

The Mayor will decide on any matters related to this rule without discussion.

Personal explanation

4.1.13.21 If a councillor believes an explanation given by them during the debate has been misunderstood the councillor:

- a) may make a personal explanation at any time, although they should wait until the councillor speaking at the time has finished their speech before doing so;
- b) can only provide the personal explanation where it relates to a part of an earlier speech by that councillor during the same debate.

4.1.13.22 The Mayor will decide without debate whether it is appropriate for the personal explanation to be made.

4.1.14 CHANGING EARLIER DECISIONS

4.1.14.1 A motion to rescind or change a decision made at a Full Council meeting in the past six months cannot be moved unless it is submitted in accordance with the Rules on Proposals for Debate above, Rule 4.1.11 and signed by at least 15 councillors, or as a recommendation from the Cabinet or a committee;

4.1.14.2 The motion or recommendation must fully set out the terms of the previous decision and the date on which it was made.

4.1.15 VOTING

Agreement by majority

4.1.15.1 Unless stated otherwise in the Constitution, any matter that is put to the vote will be decided by a simple majority of those present and voting at the time the vote is taken.

Mayor's casting vote

4.1.15.2 If there are equal numbers of votes for and against, the Mayor will have a second or casting vote which they will use or not at their discretion.

Voting by show of hands

4.1.15.3 Voting will be by a show of hands unless a recorded vote is requested under Rule 4.1.15.4 or the Mayor proposed a vote by assent.

Recorded vote

4.1.15.4 If, before a vote is taken, 10 councillors request that a record of the vote be made, the names of those voting for or against or abstaining will be recorded in the minutes. The name of each councillor present will be read in alphabetical order and each will indicate whether they are for or against the motion or wish to abstain.

Budget decision meeting

4.1.15.5 Immediately after any vote at a budget decision meeting there must be a recorded vote as described Rule 4.1.15.4 above. A "budget decision" is as set out in the Local Government and Finance Act 1992 or the issuing of a precept under that Act.

Record of individual vote

4.1.15.6 Where a member requests it immediately after a vote is taken, their vote on a matter, or whether they abstained, will be recorded in the minutes.

4.1.16 **MINUTES**

Signing the minutes

4.1.16.1 The minutes of a meeting will be signed by the Mayor at the next suitable meeting. There will be no discussion on them except on their accuracy. A motion to correct their accuracy must be seconded.

Minutes of extraordinary meetings

4.1.16.2 The minutes of an extraordinary meeting will be signed at the next suitable meeting of the Council, although that need not be the next meeting actually held.

4.1.17 **RECORD OF ATTENDANCE**

4.1.17.1 All councillors present for all or part of a meeting will be noted by the Democratic Services Officer and shall have their attendance recorded in the minutes.

4.1.18 **REPORTS OF CABINET, COMMITTEES AND OFFICERS**

Reports for decision

4.1.18.1 Reports requiring the approval of the Full Council will, in the case of reports from the Cabinet, be proposed by the relevant Cabinet Member or their nominated deputy. Reports from committees will be moved by the chair or vice chair or, in their absence, another member of the committee.

Reports for information

4.1.18.2 Reports which are for the information of the Full Council will be introduced by the appropriate Cabinet Member or the chair, vice chair or other member of the relevant committee. They will not require the support of a second councillor and any matters discussed will not be subject to alteration by the Full Council. Any councillor may move a formal proposal giving guidance or instructions to the body concerned in connection with the subject matter of the report. Such a motion must be seconded and may be debated before being put to the vote.

4.1.18.3 The chair of all main Council bodies may report to the Full Council from time to time on the activities of those bodies which they believe would be of particular interest to the Full Council and which would not otherwise be reported.

Reports from officers

4.1.18.4 A report submitted in the name of an officer shall normally be introduced and, where appropriate, moved by the Leader. In the case of some reports the Mayor may decide that it would more appropriate if another councillor did so.

4.1.19 MEMBERS OF OTHER ELECTED BODIES

4.1.19.1 The Full Council may invite an elected member of the Houses of Parliament or the European Parliament to speak to the Full Council on a matter being considered by the Parliaments. The member may not necessarily speak as a representative of one of those Parliaments and may answer appropriate questions. The member may speak for up to 15 minutes.

4.1.19.2 Any other local authority may be invited to speak by the Mayor at a time he considers appropriate. A representative shall not speak for more than 5 minutes on a single item, except with the Mayor's consent, and the Mayor may decide not to allow an objectionable item.

4.1.19.3 The matters which may be raised under Rule 4.1.19.2 are only those where there has been a formal consultation between the Council and the other local authority. The other authority must give prior notice to the Designated Officer of its wish to be heard, setting out the subject on which it wishes to speak, the formal consultation which took place, and the name of its representative at the meeting.

4.1.20 RECORDING COUNCIL MEETINGS²

4.1.20.1 Citizens and representatives of the media are entitled to make sound or visual recordings of, and to transcribe, meetings of the Council, the Cabinet, committees and sub-committees to which they have a right of access.

4.1.20.2 Members of the public or officers present at a meeting may not be filmed without their consent. Any persons under the age of 18 may not be filmed regardless.

4.1.20.3 If in the opinion of the Mayor a visual recording is disrupting the meeting they may require that it be done in such a way as to avoid disruption or be ceased if that cannot be achieved. If it is their view that the recording is contravening Rule 4.1.20.2 the Mayor shall warn the person making the recording. If the contravention continues the

² [See Part 4.7 for the policy on recording meetings](#)

Mayor may require that the recording cease for the remainder of the meeting.