

## CONSTITUTION PRACTICE NOTE

### RULES OF DEBATE

There are different rules for speaking in Full Council meetings, and speaking in Committee or Cabinet meetings. At Full Council there are also further rules in relation to councillors raising questions with cabinet members which require advance notice and permit supplementary questions to be raised and answered.

In relation to items of business (where there is usually a report within the agenda to be debated and a decision reached) at Full Council meetings councillors may normally only speak once in relation to each agenda item. There are exceptions to this rule with the most common being where a councillor proposes an item of business and is permitted to speak twice, once at the start to open the item and then again to sum up immediately before the vote is taken. All councillors are also able to speak again once in relation to each proposed amendment as well as the substantive item of debate. Any queries raised during the debate are dealt with by the councillor proposing the item of business at the end of the debate. There is no further right of reply to the responses provided before the vote is taken.

Councillors who sit on committees can normally speak freely. Finally, there are also specific rules for Cabinet meetings where there is provision for opposition spokespersons for the largest opposition group and a limitation on the number of questions that can be raised by other members of small opposition groups or non-party councillors at each meeting.

#### **1. Full Council Meetings**

1.1 The following time limits apply to speaking on motions at Council meetings:

1.1.1 The mover of a motion may speak for up to 10 minutes and for 5 minutes in right of reply

1.1.2 Anyone else may speak for up to five minutes

1.1.3 The mover of an amendment may speak for up to five minutes

1.2 Except for the mover of a motion/amendment, each person may speak only once on each motion or amendment, unless it is to make a point of order or personal explanation.

1.3 Any speaker may request an extension to their time limit, which will be decided by the Council without discussion. Exceptions to the number of times someone may speak cannot be granted. However, Councillors can speak freely on points of procedure or personal explanation

1.4 The mover of the original motion may reply at the end of the debate before the vote is put, as well as at the close of debate on any amendment. The mover of an amendment has no right of reply at the end of the debate on the amendment before the vote is taken.

- 1.5 The mover of a motion may alter it with the consent, without discussion, of the meeting.
- 1.6 A motion may be withdrawn with the consent of the meeting, without discussion and the seconder.
- 1.7 There are also Closure Motions that may be moved at the end of any councillor's speech:
  - *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.
  - *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.
  - *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.
  - *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.

## **2. Committees and Cabinet meetings**

- 2.1 In Committee meetings there is no limit on the number of times a member of the committee may speak and there is no time limit.
- 2.2 Non Committee members may speak with the consent of the Chair. In addition, they have the right to speak if:
  - 2.2.1 They proposed an item or have asked for a matter to be considered that has been referred to the committee; or
  - 2.2.2 They speak on behalf of constituents at Licensing Hearings or have made formal representations on a licence application; or
  - 2.2.3 They are a ward councillor speaking at the Planning Committee on a related planning application
- 2.3 There are also no limits on Cabinet members speaking at Cabinet meetings. The largest opposition group can appoint opposition spokespersons (and deputies) who may contribute once on each item within their area of responsibility and ask questions of the Cabinet at the Chair's discretion. Smaller opposition groups and/or non-party opposition members may do the same, up to twice each meeting.

## **3. Motions and Amendments**

- 3.1 A proposal or motion has to be formally moved and its purpose explained. Each motion must be seconded. Amendments must be seconded and advance notice is normally required.

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

- a) to withdraw a motion;
- b) to amend a motion;
- c) to exclude the public in accordance with the Access to Information Rules; or
- d) not to hear further a councillor or to exclude a councillor from the meeting.

3.3 Amendments can be to omit words and/or to add words. Amendments will be dealt with consecutively. If an amendment passes, it becomes the new motion. No amendment should merely negate the motion. The mover of the original motion can accept an amendment without a vote, provided the seconder agrees. The mover may also amend the motion themselves, with the consent (but without discussion) of the meeting. Lastly, the mover may withdraw the motion with the consent of the meeting and the seconder.

3.4 There are specific rules in relation to amendments that relate to the setting of the annual budget (which usually takes place during late February). These require amendment to be received by the Legal and Democratic Services Manager and S151 officer by noon on the second day before the meeting (eg noon Monday where Council takes place on a Wednesday). These are sent to the Cabinet Member and where valid published on the Council's website no later than noon the day before the meeting.

#### **4. Closing the debate at Full Council meetings**

4.1 A motion to close the debate can be moved at the end of any councillor's speech. There are different ways to close:

- Move to refer to another body of the Council.
- Move to proceed to next business.
- Move that the question is put to vote.
- Move to adjourn the debate.
- Move to adjourn the meeting.

4.2 All closing motions need to be seconded before they are accepted, and they allow only for the right to reply of the original mover. There will be no debate on any closing motion. If any closure motion is not agreed upon, there can be no new closure motion for 20 minutes except by the Chair.

Closure motions do not apply to Cabinet and committee meetings.

5. Flowchart to explain how motions are dealt with at Council meetings

