

Central  
Bedfordshire  
Council  
Priory House  
Monks Walk  
Chicksands,  
Shefford SG17 5TQ



## TO EACH MEMBER OF THE COUNCIL

10 January 2018

Dear Councillor

### **COUNCIL - Wednesday 10 January 2018**

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the following:-

**9. Recommendations from the Executive**

Attached is the recommendation from the Executive meeting held on 9 January 2018 on the Central Bedfordshire Local Plan.

**10. Recommendations from the General Purposes Committee**

Attached are the recommendations from the meeting of the General Purposes Committee, 7 December 2017:

- 1) Pay Policy Statement 2018/19.
- 2) Report on the proposed Amendments to Procedures for Motions.

**11. Calendar of Meetings**

Please note that the Traffic Management Meeting scheduled for the 11 September 2018 has been moved to 19 September 2018 at 10.00 a.m.

Should you have any queries regarding the above please contact me on  
Tel: 0300 300 5257.

Yours sincerely

Sandra Hobbs,  
Senior Committee Services Officer  
email: [sandra.hobbs@centralbedfordshire.gov.uk](mailto:sandra.hobbs@centralbedfordshire.gov.uk)

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**COUNCIL – 10 JANUARY 2018**

**Recommendations to Council from the Executive meeting  
held on 9 January 2018**

**E/17/101 Central Bedfordshire Local Plan**

The Executive considered a report from the Executive Member for Regeneration that presented the pre-submission Central Bedfordshire Local Plan. The Plan was a key strategic planning document for Central Bedfordshire and would guide and support the delivery of new infrastructure, homes, jobs and how this would be achieved and delivered up until 2035. The report sought approval to release the draft Pre-submission Local Plan for public consultation for a period of 6 weeks commencing 11 January 2018. The Local Plan had been prepared using a range of new background evidence work. The feedback from the consultation would be used to propose modifications to the Plan which would be submitted alongside all documentation to the Secretary of State in Spring 2018.

In response to questions, the Executive Member for Regeneration responded as follows:-

- Members and the public were encouraged to attend the drop in sessions that were taking place across Central Bedfordshire and to respond to the consultation;
- Members and the public were encouraged to attend the engagement meetings with developers to help influence master planning, as it was through this process that detailed proposals for each allocation would be developed;
- the number of houses in Houghton Regis had not been double counted, as the Plan reflected both approved proposals and new for growth;
- Policy CC6 Water Quality did give consideration to water supply and confirmed that the environmental framework would be updated;
- the duty to cooperate with neighbouring authorities was ongoing and Councillors Clarke, Collins, Dixon and Matthews were taking a leading role in liaising with Cambridgeshire, Bedford, Luton and Milton Keynes Councils to ensure that the Plan took account of cross-border issues. This work would continue until the Plan was submitted;
- planning applications for development in Arlesey would require a transport assessment and the necessary modelling to assess the impact on traffic on the A507.

- it was unclear how the Government were going to proceed with the Community Infrastructure Levy (CIL). In the meantime, the Council would continue to negotiate Section 106 Agreements to secure investment in necessary infrastructure;
- it was essential that the open nature of countryside in the gaps between villages/towns be maintained in order to retain the character of these settlements and prevent the potential loss of their individual identity; and
- confirmed that there was a mixed use development allocated for Henlow.

The Director of Regeneration and Business confirmed that the Executive and Council on 10 January were being invited to approve the release of the pre-submission Central Bedfordshire Local Plan for statutory consultation to provide Members and the public with an opportunity to provide their comments.

The Leader proposed the following additional recommendations to Officers and this was duly seconded:-

- ‘1. To note that the Local Plan identifies the importance of development being infrastructure led and requests officers to ensure that priority is given to the early delivery of the infrastructure, including through the master planning process for the proposed allocations.
2. To note that the Local Plan recognises and addresses the importance of avoiding coalescence and requests officers to consider how this could be strengthened even further through supporting technical guidance that further emphasises the importance of countryside gaps to support the sustainable growth approach that underpins the Plan.
3. To ensure that new developments and homes are constructed to a high standard, the Council will continue to press the Government for powers to ensure this.’

Reason for decision: To ensure that the Council has an up to date Plan in place to guide development within the area to facilitate the infrastructure, homes and jobs that residents need. If the Council fails to submit the Local Plan by 31 March 2018 or the date at which the National Planning Policy Framework was published as the deadline for submission, the Council would have new housing need figures imposed on it and would need to plan for the additional housing as well as any unmet need from neighbouring authorities. Also failure to submit the Plan would risk a loss of control of the process and speculative development with no prospect of maintaining a five year housing land supply in the face of an annual requirement of 2553 homes.

**RESOLVED**

1. to note that the Local Plan identifies the importance of development being infrastructure led and requests officers to ensure that priority is given to the early delivery of the infrastructure, including through the master planning process for the proposed allocations;
2. to note that the Local Plan recognises and addresses the importance of avoiding coalescence and requests officers to consider how this could be strengthened even further through supporting technical guidance that further emphasises the importance of countryside gaps to support the sustainable growth approach that underpins the Plan; and
2. to ensure that new developments and homes are constructed to a high standard, the Council will continue to press the Government for powers to ensure this.

***RECOMMENDED to Council***

1. ***that the draft Pre-Submission Local Plan be approved for the purposes of publication; and***
2. ***to delegate authority to the Director of Regeneration and Business, in consultation with the Executive Member for Regeneration, to make any minor amendments to the Local Plan prior to publication.***

The decision was unanimous.

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**Central Bedfordshire Council**

**COUNCIL**

10 January 2018

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**Pay Policy Statement 2018/19**

Report of Cllr Jane Lawrence, Chairman of General Purposes Committee  
([jane.lawrence@centralbedfordshire.gov.uk](mailto:jane.lawrence@centralbedfordshire.gov.uk))

Advising Officers:

Charles Warboys, Director of Resources  
([charles.warboys@centralbedfordshire.gov.uk](mailto:charles.warboys@centralbedfordshire.gov.uk))

Vikki Chapman, Assistant Director - People  
([vikki.chapman@centralbedfordshire.gov.uk](mailto:vikki.chapman@centralbedfordshire.gov.uk))

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**Purpose of this report**

The draft Pay Policy Statement for 2018/19 was considered by the General Purposes Committee on 7 December 2017. The purpose of this report is to submit the Committee's recommendations arising out of its consideration of the Statement to full Council for approval.

**RECOMMENDATIONS**

The Council is asked to:

1. approve and adopt the draft Pay Policy Statement 2018/19 as set out at Appendix A;
2. publish the Pay Policy Statement 2018/19 on the Council's website following approval and adoption.

**Overview and Scrutiny Comments/Recommendations**

1. This matter has not been taken through the overview and scrutiny function as it falls within the General Purposes Committee's remit.

**Background**

2. On 7 December 2017 the General Purposes Committee considered a report setting out the draft Pay Policy Statement for 2018/19.

3. The Committee noted that under the Localism Act 2011 all local authorities were required to publish a comprehensive Pay Policy Statement which was reviewed and updated annually. In addition, the Statement had to be approved by full Council in time for publication from 1 April each year. It was also noted that the Act had extended the requirements under the Code of Transparency to publish Chief Officer remuneration on the Council website, and also to ensure that full Council had the opportunity to approve senior appointments or severance arrangements outside of existing approved policies and pay arrangements.
4. The Committee was aware that the draft Pay Policy Statement reflected the existing pay arrangements, following the national pay award that covered the period up to 31 March 2018. However, it was noted that the Government was proposing to introduce a cap on public sector termination payments and a requirement that existing payments to high earning employees be recovered in particular circumstances. As such, the Pay Policy Statement would need to be amended to reflect the details of the finalised Regulations and submitted to the General Purposes Committee for consideration prior to being presented to full Council. This was likely to take place at some point in 2018.
5. The Assistant Director of People also advised that any potential pay award would be effective post April 2018 and the Pay Policy Statement for 2019/2020 would reflect any change.
6. The meeting noted that the provisions of the Localism Act brought together accountability, transparency and fairness in setting local pay. Councillors were therefore required to take a defined role in determining pay, ensuring that decisions were taken by those directly accountable to local people.
7. The Localism Act also ensured that communities had access to the information they needed to determine whether remuneration, particularly at a senior level, was appropriate, and it had also introduced requirements to ensure that a comparison was possible between the policies adopted on the remuneration of Chief Officers and other employees. For the period 2018/19 the ratio of pay of the Chief Executive to that of the median earner was 7.2:1 and the ratio of pay of the Chief Executive to that of the mean average salary was 6.4:1. Both of these ratios were below the expected multiples of 8:1 for the public sector as identified in the Hutton Review of Fair Pay in the Public Sector (2011). The meeting noted that the Council's policy provided that the Chief Executive's salary would be no greater than 8 times the median earner of the Council's workforce.

### **Reason/s for decision**

8. To meet the statutory requirement that all local authorities publish annually a Pay Policy Statement that has been approved by full Council.

### **Council Priorities**

9. This report and the attached draft Pay Policy Statement do not directly support the Council's priorities but meet the requirements of the Localism Act. The draft Pay Policy sets out how the Council pays and rewards its employees in a fair and equitable manner taking account of market pressures so that the Council is able to attract and retain the resources required to support the delivery of its priorities.

### **Corporate Implications**

#### **Legal Implications**

10. The attached draft Pay Policy Statement complies with Sections 38-43 of the Localism Act 2011 which requires that all authorities publish a Pay Policy Statement to enable transparency about chief officer pay.

#### **Financial and Risk Implications**

11. There are no direct implications arising from this report or the attached draft Pay Policy Statement.

#### **Equalities Implications**

12. The Pay Policy will apply to all employees regardless of age, disability, gender, race, sexual orientation, religion/belief (or any other protected characteristic) as appropriate to their level in the organisation and the relevant terms and conditions of their employment.
13. The Pay Policy brings together information from existing policies and documents. These documents have previously been scrutinised to ensure that they comply with the Council's equalities duties and equality impact assessments carried out as appropriate.
14. Where the recommendations under the Localism Act about the disclosure of data relate to individuals, this is permitted by Article 8 (2) of the Human Rights Act and Section 35 (1) of the Data Protection Act. The Council will not publish more data than is required to comply with the legislation.

**Conclusion and next Steps**

15. Council is asked to approve and adopt the attached draft Pay Policy Statement and publish the adopted Statement on the Council's website by 1 April 2018.

**Appendices**

Appendix A – Draft Pay Policy Statement 2018/19

**Background Papers**

None

## **CENTRAL BEDFORDSHIRE COUNCIL PAY POLICY STATEMENT 2018/19**

### **1. INTRODUCTION**

This Pay Policy Statement is produced in accordance with Chapter 8 of the Localism Act 2011 and with regard to the guidance issued by the Secretary of State under Section 40 of the Act.

It is made available on the Council's website. The Council's website also includes separately published [salary information](#) relating to Chief Officers as part of the Transparency Code.

Salary ranges published in this policy are correct as at 31<sup>st</sup> March 2018

### **2. SCOPE**

The Localism Act sets out the posts that are considered to be Chief Officers. In terms of Central Bedfordshire, this covers the Chief Executive as Head of Paid Service, Directors, the Monitoring Officer, Section 151 Officer and a number of Assistant Directors/Chief Officers/ Group Managers and Heads of Service who are regarded as Deputy Chief Officers.

In accordance with the Act, the Pay Policy Statement provides information about the remuneration paid to the Council's Chief Officers and other prescribed categories of employee. It covers all employees of Central Bedfordshire Council irrespective of legacy terms and conditions where they remain.

This policy does not apply to staff employed by local authority schools as the Localism Act does not include them.

### **3. REMUNERATION OF CHIEF OFFICERS**

The Chief Executive and Directors' Terms and Conditions are in line with the JNC Conditions of Service for Chief Executives and Chief Officers.

#### **Chief Executive**

The Chief Executive is the Council's Head of Paid Service. This is currently paid as a spot salary.

The decision to award any salary increase to the Chief Executive is made by the Leader.

The starting salary paid to the Chief Executive is determined by the Appointments Sub-Committee, taking in to consideration guidance from the JNC National Framework and market forces and subject to it being within the published salary range

Any appointment proposed above this published salary range would require a recommendation from General Purposes Committee to Full Council.

The Head of Paid Service is additionally the Council's Returning Officer. The responsibility of this role is one of a personal nature distinct from duties as an employee of the council. The fee paid to the Returning Officer is determined by legislation and the recovery of the costs of the Returning Officers' services and expenses at a UK or European Parliamentary election is met from Central Government funds and so does not constitute a cost to the Council. Where local elections occur a scale of fees and charges, approved by the Council, determines the total overall amount the Returning Officer may expend in connection with an election. The fees paid to staff who undertake election duties are broadly in line with central government rates.

### **Directors**

All Directors are paid on a spot salary. The range in which the spot salary is determined is decided by the Appointments Sub-Committee, taking into consideration guidance from the JNC National Framework and market forces.

The Chief Executive has delegated powers to make amendments to Directors salaries within the overall currently agreed range of salaries paid to Directors, to provide flexibility to respond to organisational changes from time to time.

The Council will apply JNC nationally agreed cost of living pay awards to the salaries of Directors.

### **Assistant Directors/Chief Officers/Group Managers and Heads of Service**

Terms and Conditions for Assistant Directors/Chief Officers/ Group Managers and Heads of Service are in accordance with the National Joint Council (NJC) conditions of service for Local Government Services.

The Council's pay scales for these posts are as follows:

Assistant Directors/Chief Officers/Group Managers - the salary scale is determined by the job-evaluated grade for the post but will be within the range £63,944 to £93,800. These are across 4 separate pay bands each with 3 incremental points.

Heads of Service - the salary scale is determined by the job-evaluated grade for the post but will be within the range of £49,207 - £64,122. These are across two separate pay bands each of with 3 incremental points.

### **Section 151 Officer and Monitoring Officer**

The post of the Council's Chief Finance (Section 151) Officer is held by the Director of Resources who is paid on a spot salary.

The role of Monitoring Officer is undertaken by Quentin Baker, the Executive Director of LGSS Law Ltd which provides legal services to the Council. Mr Baker is an employee of

another local authority who second him to Central Bedfordshire Council pursuant to s.113 of the Local Government Act 1972 in order to fulfil this role.

Currently the Council does not have any performance related pay systems or bonus schemes in place for any Chief Officers.

#### **4. REMUNERATION OF OTHER EMPLOYEES**

Terms and Conditions for Assistant Directors/ Chief Officers/ Group Managers, Heads of Service and remaining officers are in accordance with the National Joint Council (NJC) conditions of service for Local Government Services.

The pay spine used by the Council is aligned but not directly comparable to the national pay spine, following a 2% reduction to pay implemented in October 2011. To protect lowest earners, salaries at or below £21,519 (scp 25) were exempt from this reduction.

Pay rates are negotiated at a national level through the NJC; therefore the Council will apply any cost of living pay awards to the revised pay scales and any non-consolidated payments as determined by the national pay awards.

All posts up to spinal column point (scp) 37 are evaluated under the NJC job evaluation scheme. Posts on and above scp 37 are evaluated under the Hay job evaluation scheme. The pay scale ranges from £15,014 to £47,727. All employees are paid on or above the National Living Wage except Level 2 Apprentices in their first year of their apprenticeship for which the National Apprenticeship Wage is paid.

The Council does not have any performance related pay systems or bonus schemes in place for any employees.

Any Market Rate Supplement that is paid for specifically identified posts will be in accordance with the Council's Market Rate Supplement policy.

Employees may be eligible for a business mileage related lump sum car allowance in accordance with the published scheme.

#### **5. PAY COMPARISONS**

For the purposes of the Pay Policy Statement, the Council's pay scales define the lowest paid employees as those whose salary falls within the lowest grade which at 31 March 2018 has a salary of £15,014.

The current pay relationship between the highest paid employee who is the Chief Executive (Head of Paid Service) and the Council's median earner and the mean average salary has been measured.

For 2017/18, the ratio of pay of the Chief Executive to that of the median earner is 7.2:1 and to that of the mean average salary is 6.4:1.

Both these ratios are below the expected multiples of 8.1f or the public sector as identified in the Hutton Review of Fair Pay in the Public Sector (March 2011) Report.

It is the Council's policy that the salary of the Chief Executive will be no greater than 8x the median earner of the Council's workforce.

## **6. PENSIONS PROVISIONS**

The Local Government Pension Scheme (LGPS) is open to all employees up to 75 years of age and with a contract of more than 3 months' duration. Details are set out on the [LGPS website](#).

No additional pension payment to the Local Government Pension Scheme is made to Chief Officers.

## **7. SEVERANCE PROVISIONS FOR ALL EMPLOYEES INCLUDING CHIEF OFFICERS**

The Council will normally pay severance in redundancy situations based upon the Statutory Redundancy Payment Scheme using actual weekly salary where this is greater than statutory redundancy pay. Any council employee with 2 years' continuous service, including Chief Officers, irrespective of hours worked, is eligible for a redundancy payment should he or she be dismissed by reason of redundancy.

Any request for early retirement on the grounds of efficiency of the service must receive member approval.

The Council will meet its statutory and contractual obligations in respect of any severance package, and does not make discretionary payments. However, if in exceptional circumstances a discretionary payment is proposed, the details of the full package would require a recommendation by General Purposes Committee to Full Council for approval

## **8. REVIEW**

The Localism Act 2011 requires relevant authorities to prepare a Pay Policy Statement for each subsequent financial year. Our next Statement is scheduled to be for 2019/20 and will be submitted to Full Council for approval by 31 March 2019.

Should it be necessary to amend this 2018/19 Statement during the year that it applies, an appropriate resolution will be made by Full Council.

**Central Bedfordshire Council**

**COUNCIL**

10 January 2018

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**Proposed Amendments for Procedures for Motions**

Report of Cllr Jane Lawrence, Chairman of General Purposes Committee  
([jane.lawrence@centralbedfordshire.gov.uk](mailto:jane.lawrence@centralbedfordshire.gov.uk))

Advising Officers:

Quentin Baker, Assistant Director Legal Services (Monitoring Officer)  
([quentin.baker@LGSSLaw.co.uk](mailto:quentin.baker@LGSSLaw.co.uk))

Maria Damigos, Corporate Lawyer  
([maria.damigos@LGSSLaw.co.uk](mailto:maria.damigos@LGSSLaw.co.uk))

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**Purpose of this report**

The proposed amendments to the procedures for dealing with motions at full Council were considered by the General Purposes Committee on 7 December 2017. The purpose of this report is to submit the Committee's recommendation arising out of its consideration of the proposed amendments to full Council for approval.

**RECOMMENDATION**

The Council is asked to:

approve and adopt the proposed amendments to the procedures for dealing with motions at Council in that Rule 17 of Part 4A of the Constitution be amended, as set out at Appendix A to this report, to require proposals for amendments to motions to be provided in writing to the Monitoring Officer prior to a meeting of the Council for authorisation by him and that, on receiving such authorisation, the proposed amendment be circulated in writing to the meeting.

**Overview and Scrutiny Comments/Recommendations**

1. This matter has not been taken through the overview and scrutiny function as it falls within the General Purposes Committee's remit.

**Background**

2. On 7 December 2017 the General Purposes Committee considered an urgent report setting out proposed amendments to the procedures for dealing with motions at full Council.

The Chairman had accepted the Item on the grounds of urgency because of the issues relating to the submission of motions which had arisen at the previous meeting of full Council and which the Monitoring Officer felt needed to be rectified as quickly as possible. The aim of the amendments was, therefore, to provide greater clarity for both Members and the public in relation to the procedures for debating motions thereby resulting in better decision making.

3. The Committee noted that Part 4A of the Constitution detailed the procedures for dealing with motions at full Council. These Rules of Procedure could be followed by the Executive and by other committees if considered appropriate.
4. Members were aware that Procedure Rule 17 detailed the procedure for giving notice of a motion, Rule 18 detailed motions that may be moved without notice and Rule 19 provided the rules of debate on motions including minor alterations. The Procedure Rules did not currently require proposals for amendments to motions to be in writing or to be provided prior to a meeting.
5. The Assistant Director Legal Services (Monitoring Officer) suggested, however, that written notice of proposed amendments would improve the quality of decision making as members would be able to fully understand and appreciate the full effect of the proposed amendments on the original motion. To this end he recommended that Rule 17 of Part 4A be amended to require proposals for amendments to motions to be provided in writing to him (as Monitoring Officer) at least one clear working day prior to a meeting and that Rule 18 be amended to remove the ability to amend a motion without notice as minor alterations could still be made under Rule 19.9. These and ancillary amendments together with the correction of a typographical error were set out at a track changed appendix for Members' consideration.
6. In response, however, it was pointed out that proposed amendments were discussed at Group meetings which were held close to the start of a Council. It would be more suitable, therefore to require such amendments to be submitted to the Monitoring Officer prior to the start of a Council for approval rather than 1 clear working day in advance.
7. Discussion also took place on the submission of minor amendments and whether it should be a requirement that they should also be submitted in written form. Debate followed on the definition of a minor amendment given that a few words could have a major impact on the meaning of a motion.
8. The Committee was advised that should a proposed unwritten amendment arise during the course of a debate the amendment could still be considered should the Council Procedure Rules be suspended under Rule 27 of Part 4A of the Constitution.

### **Council Priorities**

9. The effectiveness of the Council's governance arrangements contributes to the achievement of the Council's priorities. Having clearer procedures will assist with this.

### **Corporate Implications**

#### **Legal Implications**

10. None except as detailed in the report above.

#### **Financial and Risk Implications**

11. There are no direct financial implications arising from this report or the attached proposed amendments to the procedures.

#### **Equalities Implications**

12. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. A clearer Constitution will assist with access by the public in general.

#### **Conclusion and next Steps**

13. Council is asked to approve and adopt the attached proposed amendments for dealing with motions at Council as set out at Appendix A. If approved the Constitution will be amended to incorporate any changes that have been agreed.

### **Appendices**

Appendix A – Amended Extract – Tracked Changes (Part 4A Notices of Motion etc)

### **Background Papers**

None

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Appendix A  
Amended Extracts – Tracked Changes

**PART 4A**

**NOTICES OF MOTION**

**17.1 Notice**

17.1.1 Except for motions which can be moved without notice under Rule 18, written notice of every motion, signed by the member of the Council, must be delivered to the Monitoring Officer not later than 7 clear working days before the date of the meeting. These will be entered into a book open to public inspection.

17.1.2 Written notice of every amendment to a motion, signed by the member of the Council, must be delivered to the Monitoring Officer prior to the meeting. These will be entered into a book open to public inspection.

17.1.23 Up to two motions on notice may be included in the business of the annual and the budget-setting meetings of Council, subject to submission of notice to the Monitoring Officer 10 clear working days before the date of the meeting, for the Chairman in consultation with the Monitoring Officer to determine whether the matters is of sufficient urgency and significance to justify inclusion on the agenda for that meeting.

**17.2 Motions set out in the agenda**

17.2.1 Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

**17.3 Scope**

17.3.1 Motions must be about matters for which the Council has responsibility or which directly affect Central Bedfordshire.

17.3.2 It shall be the duty of the Monitoring Officer, after consultation with the chairman, to refuse to accept any motion or amendment to a motion which he/she deems to be illegal, improper or out of order.

17.4 **Withdrawal**

17.4.1 If a motion appearing on the summons or an amendment to such a motion is not moved (either by its author or by some other member on his/her behalf) it will be treated as withdrawn, unless the Council agrees its postponement.

17.5 **Motions affecting persons employed by the Council**

17.5.1 If any matter arises at a meeting to which the Local Government Act 1972 applies by virtue of Section 100 (A) (2) as to the appointment, promotion, dismissal, salary, superannuation, or conditions of service or as to the conduct of any person employed by the Council, such matter shall not be the subject of discussion until the Council has decided whether or not the power to exclude the public under Section 100 (A) (2) of the Local Government Act 1972 shall be exercised.

17.6 **Automatic Reference to Executive or a Committee**

17.6.1 If the subject matter of the motion is within the remit of the Executive or a committee, upon being moved and formally seconded, save as provided in 17.6.3 below, it shall stand referred without discussion to the Executive or such relevant committee, including overview and scrutiny committees, as the chairman may determine (upon taking the advice of the Monitoring Officer if appropriate), for consideration and report, in the case of a committee, to the Council as soon as practical. At that time the motion shall be considered with any such report which shall include any appropriate risk assessments.

17.6.2 The Council may permit a motion to be dealt with at the meeting at which it is brought forward, provided that the subject matter is urgent or that it is appropriate to deal with the matter and that the motion does not seek to determine a matter which is the responsibility of the Executive, subject to proper information regarding the matters referred to above.

17.6.3 If the subject of a motion relates to a matter which is the responsibility of the Executive, it may, with the consent of the Council signified without discussion, be debated at the Council meeting prior to being referred to the Executive.

17.6.4 The views and conclusions arising from the debate under 17.6.3 above shall be referred to the Executive. The chairman may, if he/she considers it appropriate take a vote to determine the conclusions arising from the debate.

17.6.5 The Executive shall determine any motion referred to it by the Council as falling within its remit.

17.7 **Right of Mover of Motion to Attend meeting**

17.7.1 The mover of a motion that has been referred to the Executive or a committee shall be entitled to attend the meeting to which it has been referred and to introduce the motion.

**18. MOTIONS WHICH MAY BE MOVED WITHOUT NOTICE**

18.1 The following motions may be moved without notice:-

18.1.1 to appoint a chairman for the meeting or the remainder of the meeting

18.1.2 in relation to the accuracy of the minutes

18.1.3 to vary the order of business in the agenda

18.1.4 to refer an item back to the Executive or a Committee

18.1.5 to appoint members to a forum arising from an item set out in the summons

18.1.6 to receive reports or adopt recommendations of the Executive, committees, or officers and to receive reports of the Bedfordshire Police Authority or the Bedfordshire Fire and Rescue Service

18.1.7 to withdraw a motion

18.1.8 to seek an extension of the time limit for speeches

~~18.1.9 to amend a motion~~

18.1.~~9~~<sup>94</sup> to proceed to next item of business

18.1.1~~0~~<sup>4</sup> that the question be now put to the vote

18.1.1~~2~~<sup>2</sup> to adjourn the debate or the meeting

18.1.1~~2~~<sup>3</sup> to suspend one or more Council Procedure Rules in accordance with Rule No 27.1

18.1.1~~3~~<sup>4</sup> formally to exclude the press and public from the meeting in accordance with the Access to Information Procedure Rules in Part 4F

18.1.1~~4~~<sup>5</sup> under Rule 25.3, not to hear a Member further

18.1.1~~5~~<sup>6</sup> under Rule 25.4, that a Member be asked to leave the meeting

| 18.1.1~~67~~ to give any consent required by the constitution or these Rules.

**19. RULES OF DEBATE**

**19.1 No speeches until the motion or amendment is seconded**

19.1.1 No motion or amendment shall be discussed unless it has been proposed and seconded.

**19.2 Right to require motion or amendment in writing**

19.2.1 The chairman may require a motion or amendment to be put in writing and handed to him/her before it is discussed (unless the chairman agrees that the motion or amendment is so brief as to make this unnecessary). This requirement does not apply to Notices of Motion under Rule No. 17.

**19.3 Seconders' Speech**

19.3.1 When seconding a motion or amendment, a Member may reserve their speech until later in the debate.

**19.4 Executive Member's Speech**

19.4.1 The Chairman shall give the relevant Executive Member an opportunity to respond to the motion, for up to 5 minutes.

**19.5 Content and length of speeches**

19.5.1 Speeches must be directed to the question under discussion or to a personal explanation, point of order or point of information. Subject to the provisions in Rule 19.4.1, 19.5.2 and 19.5.3 below, no speech may exceed 3 minutes.

19.5.2 The mover of a motion or an amendment may speak for up to 5 minutes when proposing the motion or amendment;

19.5.3 A right of reply exercised under Rule 19.10 shall normally not exceed two minutes in length.

**19.6 Speeches in relation to motions for the adoption of recommendations of the Executive for the approval of the annual budget and Council Tax**

19.6.1 The length of speeches in relation to motions for the adoption of recommendations of the Executive for the approval of the annual budget and Council Tax, shall be as follows:-

- 19.6.1.1 The Leader of the Council and relevant portfolio holder shall have a total of 30 minutes between them to speak on the motion, the actual time allocated to each to be determined by the Leader;
- 19.6.1.2 The Minority Group Leaders or their nominees will have a total of 30 minutes, shared equally between each of the groups to speak on this item.
- 19.6.1.3 Any member will have the right to speak up to twice in relation to a motion for the adoption of the annual budget and Council Tax.

**19.7 When a Member may speak again**

- 19.7.1 A Member who has spoken on a motion may not speak again whilst it is the subject of debate except:-
  - 19.7.1.1 to speak once an amendment is moved by another member;
  - 19.7.1.2 to move a further amendment if the motion has been amended since he/she last spoke;
  - 19.7.1.3 if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
  - 19.7.1.4 in exercise of the right of reply under Rule 19.10;
  - 19.7.1.5 on a point of order under Rule 19.13;
  - 19.7.1.6 by way of personal explanation under Rule 19.14;
  - 19.7.1.7 by way of a point of information under Rule 19.15.

**19.8 Amendments to motions**

- 19.8.1 An amendment must be relevant to the motion and will either be:-
  - 19.8.1.1 to refer the matter to the Executive or a committee;
  - 19.8.1.2 to leave out words;
  - 19.8.1.3 to leave out words and insert or add others;
  - 19.8.1.4 to insert or add words.

as long as the effect of 19.8.1.1 to 19.8.1.4 is not merely to negate the motion (i.e. no amendment may be moved which would have the same effect as voting against the motion)

- 19.8.2 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.
- 19.8.3 If an amendment is not carried, other amendments to the original motion may be moved.
- 19.8.4 If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- 19.8.5 After an amendment has been carried, the chairman will (if necessary) read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.
- 19.9 **Alteration of motion**
- 19.9.1 A Member may alter a motion of which he/she has given notice with the consent of the Council. The Council's consent will be signified without discussion.
- 19.9.2 A member may alter a motion which he/she has moved without notice, with the consent of both the Council and the seconder. The Council's consent will be signified without discussion.
- 19.10 **Withdrawal of motion**
- 19.10.1 A Member may withdraw a motion which he/she has moved with the consent of both the Council and the seconder. The Council's consent will be signified without discussion. No Member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.
- 19.11 **Right of reply**
- 19.11.1 The mover of a motion has a right of reply at the end of the debate on the motion, immediately before it is put to the vote.
- 19.11.2 If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- 19.11.3 The mover of an amendment has the right of reply at the close of the debate on the amendment prior to the right of reply of the mover of the original motion under 19.10.1 above.
- 19.11.4 A right of reply should not normally exceed two minutes in length

19.12 **Motions which may be moved during debate**

19.12.1 When a motion is under debate, no other motion may be moved except the following procedural motions:-

19.12.1.1 to withdraw a motion;

19.12.1.2 to amend a motion;

19.12.1.3 to proceed to the next business;

19.12.1.4 that the question be now put;

19.12.1.5 to adjourn a debate;

19.12.1.6 to adjourn a meeting;

19.12.1.7 to suspend these Rules in accordance with Rule 27.1;

19.12.1.8 to exclude the press and public in accordance with the Access to Information Rules in Part 4F; and

19.12.1.9 not to hear further a Member named under Rule 25.3 or to exclude them from the meeting under Rule 25.4.

19.13 **Closure motions**

19.13.1 A Member may move, without comment, the following motions at the end of a speech of another member:-

19.13.1.1 to proceed to the next business;

19.13.1.2 that the question be now put;

19.13.1.3 to adjourn a debate; or

19.13.1.4 to adjourn a meeting.

19.13.2 Proceed to next business: If a motion to proceed to the next business is seconded and the chairman thinks the item has been sufficiently discussed, he/she will give the mover of the original motion a right of reply and then put the procedural motion to the vote. If carried the motion before the meeting shall be abandoned and not put to the meeting. If an amendment is under discussion, the discussion shall be abandoned and the meeting shall return to discussion of the motion in its original form. (This will not prevent the moving of further amendments.)

19.13.3 Closure of Debate: If a motion that the question be now put (ie that discussion shall end and the vote on the matter being considered

be taken without delay) is seconded and the chairman thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If carried it shall have the effect of ending discussion and securing a decision once the mover of the original motion has summed up.

19.13.4 If a motion to adjourn the debate or to adjourn the meeting is seconded and the chairman thinks the item has not been sufficiently discussed and cannot reasonably be discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right to reply.

19.14 **Points of Order**

19.14.1 A Member may raise a point of order at any time. The chairman will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The Member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the chairman on the matter will be final.

19.15 **Personal Explanation**

19.15.1 A Member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Member which may appear to have been misunderstood in the present debate. The ruling of the chairman on the admissibility of a personal explanation will be final.

19.16 **Point of Information**

19.16.1 A Member may raise a point of information at any time. A point of information may only be made where a Member is aware that the Council has incorrect information before it on a material point. The Member who raises the point of information must be able to cite evidence to support their statement. The ruling of the chairman on the admissibility of a point of information will be final.

19.17 **Officers addressing the Council**

19.17.1 Officers will not normally be called upon to address the Council or to answer questions unless specifically requested to do so by the Chairman of the Council. This rule shall not apply to the provision of procedural advice by the Monitoring Officer or to the Head of Paid Service and Chief Finance Officer when acting in their statutory roles.