

B5 FULL COUNCIL PROCEDURE RULES

1. Council Meetings

1.1 There are four types of Council meeting:

1.1.1 the Annual meeting

1.1.2 the Budget-setting meeting

1.1.3 Ordinary meetings

1.1.4 Extraordinary meetings.

1.2 These meetings will take place in accordance with the following procedure rules.

2. Annual Meeting of the Council

2.1 Timing

2.1.2 In a year when there is an ordinary election of councillors, the Annual meeting will take place within 21 days of the retirement of outgoing councillors. In any other year the Annual meeting of the Council will take place in March, April or May.

2.2 Business

2.2.1 The order of business at the Annual meeting will be:-

2.2.2.1 To elect a person to preside if the chairman and vice-chairman are absent.

2.2.2.2 To elect the Chairman of the Council.

2.2.2.3 To elect the Vice-Chairman of the Council.

2.2.2.4 To elect the Leader of the Council in the year following the election of all councillors.

2.2.2.5 To approve the minutes of the last meeting.

2.2.2.6 To receive any declarations of interest from members.

2.2.2.7 Chairman's announcements and communications.

2.2.2.8 Leader's announcements and communications.

- 2.2.2.9 At the discretion of the chairman, to permit public participation in accordance with the Public Participation Procedure as set out in **Part A4** of the constitution.
- 2.2.2.10 To receive and consider recommendations of the Executive and committees and answer questions asked under Rule No 13.1. (Note: This item of business will not be dealt with at the Annual meeting held immediately following the election of the new Council.)
- 2.2.2.11 Subject to paragraph 2.5.1, to appoint overview and scrutiny committees (as set out in **Part D (Overview and Scrutiny)**) and such other committees as the Council considers appropriate to deal with matters which are neither reserved to the full Council nor are executive functions (as set out in **Part E (Regulatory and other committees)** of the constitution).
- 2.2.2.12 To agree the scheme of delegation or such part of it as the constitution provides it is for the Council to agree (as set out in **Part E2 and H3** of the constitution).
- 2.2.2.13 To receive at the meeting immediately following an election of all councillors, a report from the Leader of the Council regarding the composition of the Executive for the coming year, the names of councillors he/she has chosen to be members of the Executive and the responsibilities to be held by those councillors together with a written record of the proposed Scheme of Delegation of Executive Functions. In any other year, to receive a report from the Leader on any changes to those appointments or delegations.
- 2.2.2.14 To make appointments to outside bodies in the year following an election of all councillors.
- 2.2.2.15 Other business, if any, specified in the summons.
- 2.2.2.16 To receive and consider an Annual report from its overview and scrutiny committees. (This item of business will not be dealt with at the annual meeting held immediately following an election of all councillors.)
- 2.2.2.17 To receive an annual report from the Leader, outlining policy priorities for the forthcoming year. (This item of business will not be dealt with at the Annual meeting held immediately following an election of all councillors, but instead may be dealt with at the first ordinary meeting after the Annual meeting).

2.3 Election of the Leader

2.3.1 The Leader is elected at:

2.3.1.1 the Annual meeting of the Council following an election of all councillors; or

2.3.1.2 the next meeting of the Council following the resignation, dismissal or vacation of office by the Leader.

2.3.2 The election of the Leader shall be conducted by the chairman on the basis of nominations being made and seconded and put to the vote. If there are more than two people nominated for the position of leader and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

2.4 Dismissal of the Leader

2.4.1 Dismissal of the Leader can only be made on the basis of a motion signed by 10 members of the Council and included on the agenda for a Council meeting in accordance with the normal rules for notices of motion. The motion shall indicate the reasons for the proposed dismissal except in cases where the political control of the Council has changed. If approved, the dismissal will take immediate effect.

2.5 Appointment of Councillors on Committees

2.5.1 At the Annual meeting, the Council will:-

2.5.1.1 confirm which committees to establish for the municipal year and their size and respective terms of reference;

2.5.1.2 decide the allocation of seats (and substitutes where permitted) to political groups in accordance with the political balance rules;

2.5.1.3 receive nominations from group leaders of members to serve on committees (and substitutes where permitted) and appoint to those committees;

2.5.1.4 receive nominations of group leaders for the chairmen and vice-chairmen of committees and to appoint to those committees; and

2.5.1.5 appoint co-opted members, as appropriate, to committees.

2.6 Variation of Membership

- 2.6.1 The Council may at any time (whether or not at the Annual meeting) amend the decisions made above.
- 2.6.2 The appropriate group leader or deputy group leader will notify the Monitoring Officer, by formal notice, of any changes in membership of any committee, other forum or outside body allocated to their group, for reporting to the next meeting of the Council for information. Such notice shall be provided to the Monitoring Officer or his/her nominee prior to the commencement of the forum in question to enable it to have effect for that meeting.

2.7 Substitute Members

- 2.7.1 As well as allocating seats on committees, the Council will allocate seats for substitute members shown in 2.7.2 and 2.7.3 below.
- 2.7.2 For each committee or sub-committee, the Council will appoint half of the number of substitutes in respect of each political group as that group holds ordinary seats on that committee or sub-committee (being a minimum of one and rounded up by one in the case of odd numbers).
- 2.7.3 Each elected member not belonging to a political group within the Council is entitled to nominate a substitute to attend one of these forums in his/her place.
- 2.7.4 A member who is unable to attend a meeting may arrange for one of the named substitutes appointed by the Council to attend in his/her place. Where such an arrangement has not been made, any of the named substitutes will be entitled to act as substitute for an absent member of their group.
- 2.7.5 Substitute members may attend the meeting in the capacity only:-
 - 2.7.5.1 To take the place of the ordinary member for whom they are the designated substitute;
 - 2.7.5.2 After the Monitoring Officer, or his/her nominee, has been notified before the meeting of the intended substitution;
 - 2.7.5.3 After declaring his/her status as a substitute member at the start of the meeting.
- 2.7.6 The Member substituted shall cease to be a member of the forum concerned throughout the meeting, including any adjournment, and the substitute attending the meeting shall be a full member of that forum for the same period.

3. THE BUDGET SETTING MEETING

3.1 Timing

3.1.1 The Budget-setting meeting shall take place in accordance with the Calendar of Meetings agreed annually by Council.

3.1.2 However, the Chairman and the Monitoring Officer may determine, having regard to special circumstances, that the Budget-setting meeting shall be held at such other time or place as they consider appropriate.

3.2 Business

3.2.1 The order of business at every Budget-setting meeting of the Council shall be:

3.2.1.1 To elect a person to preside if the Chairman and Vice-Chairman are absent

3.2.1.2 To approve the minutes of the last ordinary meeting of the Council

3.2.1.3 To receive any declarations of interest from Members of the Council

3.2.1.4 Announcements from the Chairman of the Council

3.2.1.5 Announcements from the Leader of the Council

3.2.1.6 Reports of the statutory officers, if any

3.2.1.7 To receive and consider recommendations contained within reports of the Executive, including:

- the Members' Allowances Scheme
- the Treasury Management Strategy
- the Capital Programme Strategy
- the Medium Term Financial Plan

and additionally, the Council Tax resolution.

3.2.1.8 Any other business specified in the summons.

- 3.2.2 It shall be the duty of the Monitoring Officer, after consultation with the Chairman, to refuse to accept any motion which in his/her reasonable opinion is out of order or otherwise inappropriate and it shall be the duty of the Monitoring Officer, at the direction of the Chairman, to exclude all quotations, extracts or other matters which would not form a necessary part of the motion should the motion be adopted.
- 3.2.3 A recorded vote shall be taken on any decision relating to the setting of the Council's annual budget or setting of the Council Tax charge of how every Council member voted, and those who abstained from voting, for inclusion in the minutes of the meeting.

4. ORDINARY MEETINGS

4.1 Timing

- 4.1.1 Ordinary Council meetings will take place in accordance with the Calendar of Meetings agreed annually by the Council.
- 4.1.2 However, the chairman and Monitoring Officer may determine, having regard to special circumstances, that a particular ordinary meeting shall be held at such other place or time as they consider appropriate.
- 4.1.3 The Monitoring Officer, after consultation with the Chairman of the Council (or in his/her absence, the Vice-Chairman) shall be authorised to cancel an ordinary meeting when there is insufficient business.

4.2 Business

- 4.2.1 The order of business at every ordinary meeting of the Council shall be:-
- 4.2.1.1 To elect a person to preside if the Chairman and Vice-Chairman are absent.
- 4.2.1.2 To approve the minutes of the last ordinary meeting of the Council.
- 4.2.1.3 To receive any declarations of interests from members of the Council.
- 4.2.1.4 A period of up to 15 minutes for public questions, statements and deputations and responses, in accordance with the Public Participation Procedure as set out at **Part A4 (Citizens and the Council)** of the constitution.

- 4.2.1.5 A period of up to 30 minutes for presentation and discussion of petitions in accordance with the Public Participation Procedure as set out at **Part A4 (Citizens and the Council)** of the constitution.
- 4.2.1.6 To deal with any business remaining from the previous meeting.
- 4.2.1.7 Chairman's announcements and communications.
- 4.2.1.8 Leader's announcements and communications.
- 4.2.1.9 Up to 3 reports from Executive Members on recent matters of interest, for which the presentation will take no more than 5 minutes per report. There will be a period of no more than 10 minutes per report during which questions may be asked by Council members on matters contained within the report.
- 4.2.1.10 Reports of the statutory officers (Head of Paid Service, Section 151 Officer and Monitoring Officer), if any.
- 4.2.1.11 To receive and consider recommendations contained within reports of the Executive and committees and answer questions asked under Rule No 13.1.
- 4.2.1.12 To receive and consider any other reports of Executive Members containing recommendations to Council and answer questions asked under Rule no 13.1.
- 4.2.1.13 To receive and consider reports on the business of joint arrangements and external organisations and receive questions and answers thereon.
- 4.2.1.14 To receive and consider recommendations contained within reports of the Bedfordshire Police Authority and the Bedfordshire Fire and Rescue Service and answer questions relating to the reports under Rule no 13.1.
- 4.2.1.15 To consider motions by members of the Council under Rule no 17 in the order received.
- 4.2.1.16 To answer written questions from members of the Council asked under Rule No 13.2
- 4.2.1.17 To answer open questions asked by members of the Council under Rule No 13.7
- 4.2.1.18 To receive ward presentations by members of the Council under Rule No 15.

- 4.2.1.19 To debate strategic policy issues in accordance with Rule No 16.
- 4.2.1.20 Any other business specified in the summons.

5. EXTRAORDINARY MEETINGS

5.1 Calling Extraordinary Meetings

- 5.1.1 Those listed below may request the Monitoring Officer to call Council meetings in addition to ordinary meetings:-
 - 5.1.1.1 The Council by resolution; or
 - 5.1.1.2 The Chairman of the Council (or in his/her absence the Vice-Chairman); or
 - 5.1.1.3 The Monitoring Officer; or
 - 5.1.1.4 Any five members of the Council if they have signed a requisition presented to the Chairman of the Council 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.

5.2 Business for Extraordinary Meetings

- 5.2.1 The order of business at an Extraordinary meeting of the Council will be:-
 - 5.2.1.1 To elect a person to preside if the Chairman and Vice-Chairman are absent
 - 5.2.1.2 To receive any declarations of interests from members
 - 5.2.1.3 Chairman's announcements
 - 5.2.1.4 Leader's announcements and communications
 - 5.2.1.5 At the discretion of the Chairman, to permit public participation in accordance with the Public Participation Procedure
 - 5.2.1.6 To deal with the item(s) of business specified in the summons, for which purpose the extraordinary meeting has been called.
- 5.2.2 Except as provided in 5.2.1 above, the business shall be restricted to such items contained in the requisition for the meeting.

- 5.2.3 It shall be the duty of the Monitoring Officer, after consultation with the chairman, to refuse to accept any motion which in his/her reasonable opinion, is out of order or otherwise inappropriate and it shall be the duty of the Monitoring Officer, at the direction of the Chairman, to exclude all quotations, extracts or other matters which would not form a necessary part of the resolution should the motion be adopted.

6. BUSINESS AT COUNCIL MEETINGS

6.1 Variation of Order of Business

- 6.1.1 The order of business, subject to any statutory provision, may be varied by the Chairman at his/her discretion, or by resolution passed on a motion moved and seconded and put without discussion.

6.2 Business must be specified on the agenda

- 6.2.1 Apart from business required by statute to be transacted, and items admitted to the agenda by the Chairman on the grounds of urgency, only items appearing on the agenda shall be considered.

7. TIME AND PLACE OF MEETINGS

- 7.1 The time and place of meetings shall be determined by the Monitoring Officer and notified in the summons.

8. NOTICE OF AND SUMMONS TO MEETINGS

- 8.1 The Monitoring Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules as set out at **Part G2** of the constitution. A summons and agenda for each Council meeting will be sent to every Member at least five clear working days before the meeting or if the meeting is convened at shorter notice, then at the time it is convened. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

9. CHAIRMAN OF MEETING

- 9.1 The person presiding at the meeting may exercise any power or duty of the chairman.

10. QUORUM

- 10.1 The quorum of a meeting of the Council will be 17 members. During the meeting if the Chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn for 15 minutes. If after that time the Chairman counts the number of members present and declares that there is still no quorum, the meeting will adjourn. Remaining business will be considered at a date and time fixed by the Chairman. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

11. MINUTES

11.1 Signing the minutes

- 11.1.1 The Chairman will sign the minutes of the proceedings at the next ordinary meeting. The Chairman will move that the minutes of the previous meeting be signed as an accurate record. No discussion shall take place upon the minutes, except where their accuracy is challenged by motion. If no such challenge is moved, or if moved then as soon as it has been disposed of, the Chairman will sign the minutes.

11.2 No requirement to sign minutes of previous meeting at extraordinary meeting

- 11.2.1 Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an extraordinary meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41 (1) and (2) of Schedule 12 relating to signing of minutes.

11.3 Form of minutes

- 11.3.1 Minutes will contain all motions and amendments in the exact form and order as put to the meeting.

12. PUBLIC PARTICIPATION

- 12.1 Public participation in Council meetings, including asking questions, making statements, making deputations and presenting petitions, will operate on the basis of the Public Participation Procedure set out in **Part A4 (Citizens and the Council)** of the constitution.

13. QUESTIONS BY MEMBERS

13.1 On reports or minutes of the Executive or Committees

13.1.1 A member of the Council may ask the Leader, an Executive Member or the chairman of a committee (or of a body referred to in Rule 13.2.1.4), a question without notice upon a recommendation of that forum when that item is under consideration by the Council, or upon any minute of a meeting of that forum which has been published since the last meeting of the Council.

13.2 Written Questions on notice at full Council

13.2.1 Subject to Rule 13.3, a member of the Council may ask:-

13.2.1.1 The Chairman;

13.2.1.2 A member of the Executive;

13.2.1.3 The chairman of any committee or sub-committee; or

13.2.1.4 The chairman of (or other member representing) the Bedfordshire Police and Crime Panel or the Bedfordshire Fire and Rescue Service

a question on any matter in relation to which the Council has powers or duties or which affect the area of the Authority.

13.3 Notice of questions

13.3.1 A member may only ask a question under Rule 13.2 if either:-

13.3.1.1 They have given at least seven clear working days notice in writing of the question to the Monitoring Officer; or

13.3.1.2 The question relates to urgent matters and they have the consent of the Chairman of the Council and the content of the question is given to the Monitoring Officer by 9.00am on the day of the meeting.

13.4 Response

13.4.1 Each question shall be put and answered in turn without discussion.

13.4.2 An answer may take the form of:-

13.4.2.1 A direct oral answer;

13.4.2.2 Where the desired information is in a publication of the Council or other published work, a reference to that publication; or

13.4.2.3 Where the reply cannot be conveniently given orally, a written answer circulated later to the questioner.

13.5 Supplementary question

13.5.1 A member asking a question under Rule 13.2 may ask one supplementary question without notice of the Member to whom the first question was asked which shall be put and answered without discussion. The supplementary question must arise directly out of the original question or the reply. A second supplementary question may be asked by any other member of the Council which shall also be put and answered without discussion.

13.6 Time limit

13.6.1 The time allocated for questions on notice under Rule 13.2 shall be 15 minutes (subject to the chairman's discretion to extend this period).

13.7 Open Questions

13.7.1 Questions and Procedure

13.7.1.1 At each ordinary meeting of the Council (excluding the annual or any extraordinary meeting) there shall be a period of no longer than 30 minutes for open questions, which shall be questions of the Leader, Deputy Leader and Executive Members, and the chairman of any committee, subject to the following guidelines:-

13.7.1.2 Questions:-

13.7.1.2.1 must be relevant to matters for which the Council has powers or duties or matters that affect Central Bedfordshire or its residents;

13.7.1.2.2 must not relate to an item which is included elsewhere on the Council agenda since they can be raised at that point in the meeting;

13.7.1.2.3 must be capable of eliciting a response (ie must not be a statement);

13.7.1.2.4 should not exceed two minutes in length.

- 13.7.1.3 Questions should not:-
- 13.7.1.3.1 be incapable of being adequately answered in three minutes;
 - 13.7.1.3.2 divulge or require to be divulged confidential or exempt information.
- 13.7.1.4 The conduct of open question time shall be regulated by the Chairman of the Council having regard to the above guidelines.
- 13.7.1.5 Any Member wishing to put an open question should put his/her name on the relevant pro forma and place it in the appropriate receptacle not less than 5 minutes before the start of the meeting. Names will be drawn at random by the Chairman during the question time session lasting up to 30 minutes.

13.7.2 Response

- 13.7.2.1 An answer to an open question may take the form of:-
- 13.7.2.1.1 a direct oral answer of up to a maximum of three minutes duration;
 - 13.7.2.1.2 where the desired information is in a publication of the Council or other published work, a reference to that publication; or
 - 13.7.2.1.3 where the reply cannot conveniently be given orally, a written answer will be circulated later to the questioner and made available to all members of the Council and the public.

13.7.3 Supplementary Question

- 13.7.3.1 A member asking an open question under Rule 13.7.1 may ask one supplementary question, without notice, of the Member to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply and should not exceed two minutes in length.

14. MOVING AND CONSIDERATION OF RECOMMENDATIONS IN REPORTS OF THE EXECUTIVE AND COMMITTEES

- 14.1 When the chairman calls the recommendations of the Executive or any committee under Council Procedure Rule 4.2.1.10, such recommendations shall be moved by the member who was in the chair at the meeting of the Executive or committee when the recommendations were decided upon. However in respect of any item or items, the mover may be another member who has agreed on request to act instead. In either case the mover may if he/she wishes, speak in introduction of any such recommendation immediately it is called in accordance with Council Procedure Rule 14.2.
- 14.2 The recommendations of the Executive or a committee shall be called by the chairman in succession and following any introduction by the mover and the disposal of any question in accordance with Council Procedure Rule 13.1, any member may speak to the recommendation (whether or not to move an amendment) or to any motion to amend such recommendation in accordance with the provisions of Rule 19 (Rules of Debate).
- 14.3 Any discussion on a recommendation, or on any amendment to a recommendation shall be concluded by the replies in accordance with Council Procedure Rule 19 (Rules of Debate).
- 14.4 When the Chairman calls for the reports of the Bedfordshire Police Authority and the Bedfordshire Fire and Rescue Service, under Council Procedure Rule 4.2.1.14, one of the Council's representatives serving upon the respective body shall move that the report be received and may if he/she wishes speak in introduction of the report.
- 14.5 When any reports such as are mentioned in Council Procedure Rule 14.4 are under consideration by the Council, any member may comment provided that such comment is relevant to the content of the report but no amendment shall be moved in respect thereof.

15. WARD PRESENTATIONS

- 15.1 Members for each ward shall be entitled to make a ward presentation specific to their ward to any meeting of the Council (except the Annual meeting, the Budget setting meeting or an Extraordinary meeting), provided that seven clear working days notice in writing is received by the Monitoring Officer. Such presentations shall be solely for the information of the Council.
- 15.2 The chairman shall have the discretion to waive the notice requirements under 15.1 above, where he/she is satisfied that a ward presentation, by reason of special circumstances, should be considered as a matter of urgency.

- 15.3 There shall be a period of no longer than 30 minutes at each ordinary meeting of the Council for ward presentations. Requests to make ward presentations will be listed on the agenda in the order in which the request was received. Up to 10 minutes shall normally be permitted for a ward presentation.
- 15.4 A ward member representing a multi member ward shall be permitted to make a comment, if the need arises, following a presentation made by another member representing the same ward.
- 15.5 The conduct of ward presentations shall be regulated by the Chairman of the Council having regard to the above guidelines, but the Chairman shall have the discretion to vary the time constraints in paragraph 15.3 above, should he/she consider it appropriate.

16. STRATEGIC POLICY DEBATES

- 16.1 The Leader of the Council, after consultation with the Chairman, Executive Members, chairmen of the overview and scrutiny committees and the Group Leaders, shall identify those issues of strategic policy which shall be the subject of debate by the full Council.
- 16.2 The conduct of strategic policy debates shall be regulated by the chairman, subject to the following guidelines:-
- 16.2.1 The policy must relate to the Council's powers or duties or be matters that affect Central Bedfordshire or its residents.
- 16.2.2 All members will wherever possible, receive a briefing paper in advance of the meeting on the policy to be subject of debate.
- 16.2.3 Rule No. 19 (Rules of Debate) shall not apply during strategic policy debates but the time allowed for the debate shall not normally exceed 45 minutes.
- 16.2.4 The Chief Executive, after consultation with the chairman and Leader, shall be authorised to invite representatives of partner organisations to participate in the debate, as appropriate.
- 16.2.5 No formal decisions shall be taken upon the matter under consideration but the views and conclusions of the Council upon the matter shall be forwarded to the relevant body responsible for policy development/review, as appropriate.

17. 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 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 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 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
- 18.1.10 to proceed to next item of business
- 18.1.11 that the question be now put to the vote
- 18.1.12 to adjourn the debate or the meeting
- 18.1.13 to suspend one or more Council Procedure Rules in accordance with Rule No 27.1
- 18.1.14 formally to exclude the press and public from the meeting in accordance with the Access to Information Procedure Rules in Part G2
- 18.1.15 under Rule 25.3, not to hear a Member further
- 18.1.16 under Rule 25.4, that a Member be asked to leave the meeting
- 18.1.17 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 Secunder's 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 G2**; and

- 19.12.9 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;
 - 19.12.1.3 to adjourn a debate; or
 - 19.12.1.4 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.

20. RESCISON OF PREVIOUS RESOLUTION

20.1 No Member may move a motion or amendment which would have the effect of rescinding any resolution of the full Council passed within the previous six months or which would have the same effect as one which has been rejected within the previous six months.

20.2 This Rule does not apply:-

20.2.1 to a recommendation submitted by the Executive or by a committee to the Council; or

20.2.2 where a notice of motion has been submitted under Rule No 17 signed by at least 17 members of the Council (this procedure cannot be used within a further period of six months to propose a similar motion).

21 VOTING

21.1 Majority

21.1.1 Unless the constitution provides otherwise, any matter will be decided by a simple majority of those Members present and voting.

21.2 Chairman's casting vote

21.2.1 If there are equal numbers of votes for and against, the chairman will have a second or casting vote. There will be no restriction on how the chairman chooses to exercise a casting vote.

21.3 Show of hands

21.3.1 Unless a ballot or recorded vote is demanded under Rules 21.4 and 21.5, the chairman will take the vote by a show of hands, or if there is no dissent, by the affirmation of the meeting, or via the electronic voting system.

21.4 Ballots

21.4.1 The votes will take place by ballot if a majority of the Members present at the meeting demand it. The chairman will announce the numerical result of the ballot immediately the result is known.

21.5 Recorded vote

21.5.1 If no fewer than 10 of the Council's membership present at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

21.6 Right to require individual vote to be recorded

21.6.1 Where any member requests it immediately after a vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

21.7 Voting on appointments

21.7.1 If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

22. RECORD OF ATTENDANCE

22.1 Every member of the Council attending a meeting of the Council shall sign the attendance book provided for that purpose.

23. INTEREST OF MEMBERS IN CONTRACTS AND OTHER MATTERS

23.1 Where a Member has a personal or personal and prejudicial interest in a contract, proposed contract or other matter, this should be dealt with as set out in the Council's Members' Code of Conduct in **Part F2** of the constitution.

24. EXCLUSION OF PUBLIC

24.1 Members of the public and press may only be excluded either in accordance with the Access to Information Rules in **Part G2** of the Council's constitution, or Rule 26 (Disturbance by Public).

25. MEMBERS' CONDUCT

25.1 Standing to speak

25.1.1 When a Member speaks at full Council they must (unless the chairman rules otherwise) stand and address the meeting through the chairman. If more than one Member stands, the chairman will ask one to speak and the others must remain seated whilst a Member is speaking unless they wish to make a point of order, a point of information or a point of personal explanation.

25.2 Chairman Standing

25.2.1 When the chairman stands during a debate, any Member speaking at the time must stop and sit down. The meeting must be silent.

25.3 Member not to be heard further for remainder of item

25.3.1 If a Member persistently disregards the ruling of the chairman by behaving improperly or offensively or deliberately obstructs business, the chairman may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

25.4 Member to leave the meeting

25.4.1 If the Member continues to behave improperly after such a motion is carried, the chairman may move that either the Member leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

25.5 General disturbance

25.5.1 If there is a general disturbance making orderly business impossible, the chairman may adjourn the meeting for as long as he/she thinks necessary.

26. DISTURBANCE BY PUBLIC

26.1 Removal of member of the public

26.1.1 If a member of the public interrupts proceedings, the chairman will warn the person concerned. If they continue to interrupt, the chairman will order their removal from the meeting room.

26.2 Clearance of part of a meeting room

26.2.1 If there is a general disturbance in any part of the meeting room open to the public, the chairman may call for that part to be cleared, and may adjourn the meeting for 15 minutes or other suitable period.

27 SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

27.1 Suspension

27.1.1 All of these Council Rules of Procedure except Rule 11.2 and 21.6 may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the items under discussion.

27.2 Amendment

27.2.1 Any motion to add, vary or revoke the Full Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

28. INTERPRETATION OF PROCEDURE RULES

28.1 The ruling of the chairman as to the interpretation or application of any of these Procedure Rules or as to any proceedings of the Council may not be challenged at any meeting of the Council.