

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 not later than 1 clear working day before the date of 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to such a motion is not moved (either by its author or by some other member on his/her behalf) it will be treated as withdrawn, unless the Council agrees its postponement.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~~10~~ to proceed to next item of business

18.1.10~~1~~ that the question be now put to the vote

18.1.11~~2~~ to adjourn the debate or the meeting

18.1.12~~3~~ to suspend one or more Council Procedure Rules in accordance with Rule No 27.1

18.1.13~~4~~ formally to exclude the press and public from the meeting in accordance with the Access to Information Procedure Rules in Part 4F

18.1.14~~5~~ under Rule 25.3, not to hear a Member further

18.1.15~~6~~ 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.