

APPENDIX 4

Extracts from Council Procedure Rules

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2. ORDINARY MEETINGS

2.1 Timing of Meetings

Ordinary meetings of the full Council shall be held in every year as follows:

- (a) on the third Wednesday in February; ~~this meeting is dedicated to the consideration of the Council's Budget and the Council Plan ("the Budget and Council Plan meeting");~~
- (b) on a Wednesday in March or April;
- (c) the penultimate Wednesday in July;
- (d) the second Wednesday in November;
- (e) or on such other dates as the Council shall determine.

The ~~third Friday~~ in February shall be reserved in the diary, each year, for a further ~~Budget and Council Plan~~ meeting, if necessary, to deal with business left outstanding from the meeting held the previous week.

Provisions regarding the Annual meeting of full Council are set out in Council Procedure Rule 1 and provisions regarding Extraordinary meetings are set out in Council Procedure Rule 3.

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2.2 Notice of Meetings

Five clear days* at least before a meeting of the Council notice of the time and place will be published at the Council's offices. Where the meeting is called by Members of the Council, the notice will be signed by those Members and will specify the business to be transacted. A summons to attend a meeting of the Council, specifying the business proposed to be transacted and signed by the Chief Executive Officer and Assistant Chief Executive Legal and Democratic Services, will be sent by post to the usual place of residence of every Member of the Council, or to such other place specified in writing by the Member to the Assistant Chief Executive Legal and Democratic Services.

2.3 Order of Business

- (a) Save as expressly provided otherwise elsewhere in these Council Procedure Rules, the order of business at Council meetings shall be:
 - (i) if both the Chair and the Vice-Chair are absent to choose a person to preside at the meeting;
 - (ii) any business given priority by or required to be done by statute;
 - (iii) approval, as a correct record, of the Minutes of the previous meeting, including minutes of any special or extraordinary meeting;

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* "Five clear days" – as defined in Access to Information Procedure Rule 4.

- (iv) to receive any communication from the Chair;
- (v) to elect the Leader at the annual meeting in an election year;
- (vi) the statement by the Leader and any questions from Members to the Leader;

(vii) Notices of motion in the order in which they have been received, unless the Chair directs that, for the efficient conduct of business, they should be considered earlier on the agenda. At each meeting of the Council, the Chair may, at their discretion, bring forward to noon, or as soon as convenient thereafter, debate on one motion of which notice has been given under Council Procedure Rule 11 and for which adequate reason has been given why it should be debated on the day.

- (viii) any questions or statements from members of the public who are residents of North Yorkshire relating to Council business, subject to:
 - ♦ notice having been given of the question or statement and the Member to whom it is addressed at least three working days before the meeting; and
 - ♦ no member of the public being entitled to speak for more than three minutes.

(ix) at the annual meeting in an election year, to appoint Members to serve on committees of the Council and/or as representatives of the Council on other bodies unless power to make those appointments has been delegated to other bodies or persons;

(x) any business remaining from the previous meeting;

- (xi) any matter referred to the Council for decision by:
 - (a) the Executive;
 - (b) the Standards and Governance Committee;
 - (c) the Head of Paid Service, Monitoring Officer or Chief Finance Officer;
 - (d) a committee of the Council, other than an overview and scrutiny committee;
 - (e) the Corporate Parenting Members' Group;

(xii) any statement by an Executive portfolio holder, each of which may be followed by any questions or statements.

Each Scrutiny Chair shall present a report on the work of their Committee.

A summary of the key points of any statement made under this Procedure Rule shall be printed and be made available to all Members as part of the agenda for the meeting.

Members putting questions or statements to a portfolio holder or Chair of the Scrutiny Board or of an Overview and Scrutiny Committee are limited to speaking for a maximum of two minutes.

(xiii) any matter referred to the Council by the following Committees:

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- (a) Care and Independence and Housing Overview and Scrutiny Committee;
- (b) Corporate and Partnerships Overview and Scrutiny Committee;
- (c) Scrutiny of Health Committee;
- (d) Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee;
- (e) Children and Families Overview and Scrutiny Committee;
- (f) Transition (LGR) Overview and Scrutiny Committee.

(xiv) Council Procedure Rule 10 questions;

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(xv) other business, if any, specified in the summons for the meeting.

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- (b) The order of business of any meeting of the Council, other than business falling under items (a) (i), (ii) and (iii), may be varied either at the discretion of the Chair or by a resolution passed on a motion duly moved, seconded and put without discussion.

2.4 Reports, Statements and Questions

- (a) Any reports of the Executive or committees shall, whenever possible, be printed and circulated to Members of the Council before the meetings at which they are to be considered.
- (b) The Leader of the Council may make a statement to the Council on any matters relevant to the Council and any portfolio holder (including the Leader if they hold a portfolio) or Chair of any overview and scrutiny committee may make a statement to the Council on any matters relevant to that portfolio or the work of that overview and scrutiny committee. The provisions of Council Procedure Rule 10 shall apply to questions under this Council Procedure Rule.

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9. QUESTIONS AND STATEMENTS BY THE PUBLIC

9.1 General

With the exception of the Budget and Council Plan meeting, members of the public may ask questions or make statements at ordinary meetings of the Council, and meetings of the Executive and of committees.

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9.1.1 This Council Procedure Rule 9 does not apply to:

- the Council's Planning Committees, Statutory Licensing Sub-Committees and General Licensing and Registration Sub-Committees or any other committee of a quasi-judicial nature), where there are other procedures in place to permit public questions/statements. Public questions/statements at planning committees are governed by the Code of Practice for Councillors and Officers dealing with planning matters in Part 5 of the Constitution;

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- full Council Budget and Council Plan meetings.

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9.2 Order of Questions/Statements

9.2.1 Subject to the other provisions of Council Procedure Rule 9 regarding public questions and statements, the Chair, in consultation with the Assistant Chief Executive Legal and Democratic Services, will decide which questions are asked, or statements made, and in which order. The Chair may refuse to accept questions or statements submitted for full Council or may refer them for consideration to another committee.

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9.2.2 The Chair may group together similar questions or statements. Where there are multiple questions/statements on the same theme, there should be one spokesperson. The Chair has discretion when grouping together similar questions to limit the time for asking such questions and may also, in their discretion, accept one question or statement only per theme or topic and has discretion as to the handling and management of multiple questions/statements on one topic.

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9.2.3 The Chair may refuse to accept a question or statement for a full Council meeting if it is the same as asked/made at a meeting of full Council or the Executive in the previous six months.

9.3 Notice of Questions/Statements

- (a) A question may only be asked (or statement made) if notice including the full text of the question or statement has been given by delivering it in writing or by electronic mail to the Assistant Chief Executive Legal and Democratic Services no later than midday three working days before the day of the meeting. Each question must give the name of the questioner. The question will be put to the relevant executive portfolio holder or committee Chair. Each statement must give the name of the person by whom it is to be made.
- (b) Copies of all public questions received for a meeting of Council will be circulated to all Members in the Council Chamber.

9.4 Number of Questions/Statements

No individual, organisation or group may submit more than one question or statement to full Council or Executive in a six month period (from when an initial question was asked or statement made by that individual, organisation or group).

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9.5 Scope of Questions/Statements

The Assistant Chief Executive Legal and Democratic Services may reject a question or statement if it:

- ♦ is not submitted by a person who can demonstrate a connection to North Yorkshire through living, working or studying in the county;
- ♦ is not about a matter for which the local authority has a responsibility or which affects the county;
- ♦ in relation to full Council meetings, the question or statement does not relate to an item for decision on the Council agenda;
- ♦ is defamatory, frivolous or offensive;
- ♦ is essentially a complaint about and/or appeal against a committee decision;
- ♦ it is directed to full Council and relates to a planning matter (unless the matter is specifically on the agenda for that full Council meeting);
- ♦ is not within the purview of that particular committee;
- ♦ is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- ♦ is submitted by an individual, organisation or group who has submitted a question or statement to full Council or the Executive in the previous six

[months; \[in respect of a purported question/statement for a full Council meeting\];](#)

- ♦ [is submitted by a publicly declared candidate for election during the pre-election period;](#) or
- ♦ requires the disclosure of confidential or exempt information.

9.6 Record of Questions/Statements

The Assistant Chief Executive Legal and Democratic Services will enter each question and statement in a book open to public inspection and will immediately send a copy of any question to the Member to whom it is to be put. Rejected questions or statements will include reasons for rejection. Copies of all questions and statements will be circulated to all Members and will be made available to the public attending the meeting.

9.7 Asking the Question or Making the Statement at the Meeting

- (a) The Chair will invite the questioner to put the question to the relevant portfolio holder or committee Chair. If a questioner who has submitted a written question is unable to be present, they may ask a representative to attend to put the question/make the statement on their behalf. Except in exceptional circumstances (as the Assistant Chief Executive Legal and Democratic Services may agree), the questioner must attend the meeting or send a representative to read out the question or statement, otherwise the question/statement will not be dealt with at the meeting and a written response will be provided.
- (b) The Chair will invite the person to ask their question/make their statement. If they are unable to be present they may ask a representative to ask the question or make the statement on their behalf.
- (c) No person asking a question or making a statement may speak for more than three minutes, and the total time allowed at any meeting for questions and statements by the public shall be half an hour. [Members answering a public question or statement may speak for up to three minutes. This therefore allows for a maximum of 5 public questions/statements during the thirty minute time period.](#) In accordance with Council Procedure Rule 9.2, the Chair has discretion as to the handling of questions/statements to be taken during that thirty minute time period.

9.8 Supplemental Question

[9.8.1 Subject to Council Procedure Rule 9.8.2, a](#) questioner who has put a question in person may also put one supplementary question without notice to the Member who has replied to their original question. A supplementary question must arise directly out of the original question or the reply and is permitted solely for the purpose of clarifying the information provided in response to the original question. In these circumstances the speaking time for the questioner asking a supplemental question will be limited to thirty seconds or such longer time as the Chair might agree. The Member responding to the supplemental question has unlimited time to respond. The Chair may reject a supplementary question on any of the grounds in Rule 9.5 above.

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[9.8.2 Council Procedure Rule 9.8 regarding supplemental questions does not apply to meetings of full Council.](#)

9.9 Written Answers

Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Member to whom it was to be put or because notice required by this Rule was not given, will be dealt with by a written answer within two weeks.

9.10 Reference of Question to the Executive or a Committee

Unless the Chair decides otherwise, no discussion will take place on any question or statement, but any Member may move that a matter raised by a question or statement be deferred to the next meeting or referred to the Executive or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion. No other decision may be taken in relation to any question or statement.

10. QUESTIONS BY MEMBERS

10.1 Written Questions and Written Responses Addressed Outside of Meetings

- (a) Members may at any time ask a question of the Leader, Executive Member or the Chair of any Committee or sub-committee by providing written notice of the question to the Assistant Chief Executive Legal and Democratic Services.
- (b) The Leader, Executive Member, Committee or sub-committee Chair concerned must provide a written response within 10 working days.
- (c) The question and response will be published on the Council's website.
- (d) The Assistant Chief Executive Legal and Democratic Services may reject a question or statement if it:
 - i. is not about a matter for which the local authority has a responsibility or which affects the County;
 - ii. is defamatory, frivolous or offensive;
 - iii. is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
 - iv. requires the disclosure of confidential or exempt information.

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10.2 Statement by the Leader and Questions and Statements by Members to the Leader

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- (a) At each Ordinary meeting of the Council the Leader may make a statement to the Council on any matters relevant to the Council and any portfolio holder (including the Leader if they hold a portfolio.)
- (b) A Member may ask the Leader a question or make a statement in relation to the presentation of the Leader's report and statement to Council during the time allocated for such questions and statements.
- (c) A maximum of 10 minutes will be permitted for questions and statements to the Leader under this agenda item.

10.3 Statement by an Executive Member and Questions and Statements by Members to the Executive Member

- (a) At each Ordinary meeting of the Council statements made by portfolio holders will be made in rotation but follow the order set out below, subject to the first statement at any Council meeting being made last at the subsequent meeting:

- Communications, safer communities and emergency planning;
 - Finance, Assets including Pension Fund, Property, Procurement and Commercial, Technology, Transformation, Revenue and Benefits and HR;
 - Open to Business, including Planning, economic development and regeneration, Visitor Economy, Broadband and Harbours;
 - Corporate Services, locality working and structures, including Stronger Communities, Policy and Performance, Refugee and Asylum issues, Community Safety including CCTV, Legal and Democratic Services, Members support, Elections and Customer Contact;
 - Highways and Transportation including Parking Services, Street Scene, Parks and Grounds, Integrated Passenger Transport, Public Rights of Way and Coastal Protection and Flooding;
 - Health and Adult Services including Public Health and Prevention and Service Development;
 - Culture, Arts and Housing including Culture, Arts, Libraries, Museums, Archives, Key venues, Leisure and Housing;
 - Children and Families including Inclusion;
 - Managing our Environment including Environment services including Low Carbon, Bio-diversity, Natural capital, Waste Services, Regulatory Services, Registration, Bereavement, Coroners Service and Licensing;
 - Education, Learning and Skills, including Outdoor Education and Skills.
- (b) The Leader of the Council may make a statement to the Council on any matters relevant to the Council and any portfolio holder (including the Leader if they hold a portfolio).
- (c) A Member may ask the Executive Member a question or make a statement in relation to the Executive Member's statement to Council during the time allocated for such questions.
- (d) A maximum of 5 minutes will be permitted for questions and comments to the Executive Member under this agenda item.
- (e) A summary of the key points of any statement made under this Procedure Rule shall be printed and be made available to all Members as part of the agenda for the meeting.

10.4 Statement by the Chair of the Scrutiny Board or of an Overview and Scrutiny Committee and Questions and Statements by Members to that Chair

- (a) At each Ordinary meeting of the Council the Chair of the Scrutiny Board and/or any Chair of an Overview and Scrutiny Committee may make a statement to the Council on any matters relevant to the work of that committee.
- (b) A Member may ask the Chair of the Scrutiny Board and/or any Chair of an Overview and Scrutiny Committee a question or make a statement in relation to their statement to Council during the time allocated for such questions.
- (c) A maximum of 5 minutes will be permitted for questions and statements under this agenda item.

10.5 Questions by Members to the Chairs of any Committee or Sub-committee, the Leader and Executive Members

- (a) A Member may during the time allowed for this agenda item ask the Chair of any Committee or Sub-committee (other than an Overview and Scrutiny Committee),

the Leader and Executive Members any question on a matter within the purview of their committee or portfolio.

(b) Every question shall be put and answered, without discussion but the Member to whom a question has been put may decline to answer.

(c) A maximum of 10 minutes will be permitted for this agenda item.

10.6 Notice and Order of Questions and Supplementary Questions

- This Rule applies to questions and statements under 10.2-10.5 above.
- Questions for which 2 clear working days' written notice have been given to the Assistant Chief Executive Legal and Democratic Services will be dealt with under the relevant agenda item first. Thereafter, the Chair will determine the order of questioning and statements and at their discretion will, as far as possible, invite the questions and/or statements in the order indicated by Members raising their hand but subject to the need to ensure a reasonable balance across the political groups and independent Members of the Council.
- Copies of all written Member questions received for a meeting of full Council will be circulated to all Members in the Council Chamber.
- With the consent of the Chair, Members may be allowed a short supplementary question which must arise from the response. The Member has 30 seconds to ask their supplementary question.

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10.7 Discretion of the Chair in relation to Member Questions and Statements

(a) This Rule applies to questions and statements under 10.2-10.5 above.

(b) The Chair may reject any Member question or statement if it does not pertain to a matter for which the Council has a responsibility or which directly affects the County.

(c) The Chair may reject a Member question or statement if it relates to a matter which is purely of personal concern to an individual Member's division. In such instances the Chair will ask that the relevant Executive Member, committee Chair or Officer respond to the question in writing within 10 working days of the meeting.

10.8 Response

(a) This Rule applies to questions and statements under 10.2-10.5 above.

(b) An answer may take the form of a direct oral answer or where the desired information is in a publication of the Council or other published work, a reference to that publication.

(c) Where the reply to any question or statement cannot conveniently be given orally, or where there has been insufficient time for any question/statement for which written notice has been provided in accordance with CPR 10.6 above, it shall be deemed a sufficient reply if the answer is supplied to the Member asking the question or making the statement as soon as reasonably possible and copies shall at the same time be placed in the Members' Group Rooms.

11. MOTIONS ON NOTICE

11.1 Council Meetings

- (a) Except in the cases specified in Council Procedure Rule 12, a motion may not be moved unless notice of it has been given in accordance with the following provisions.
- (b) Every notice of motion, shall relate to a matter for which the Council has duties or powers or which affects North Yorkshire or to the performance of the Chair, the Leader, the Executive or any member of it, or any committee. All such notices shall be in writing signed by the Member giving the notice and any proposed seconder and other supporter; and shall be given or sent by post or fax, or by e-mail from a North Yorkshire Councillor email address) in which case signatures are not required, to the Assistant Chief Executive Legal and Democratic Services, who shall enter it in a book, to be open to inspection by Members, at their office. A notice of motion received after midnight on the ninth day before a meeting of the Council shall not be specified in the summons for that meeting.
- (c) The Assistant Chief Executive Legal and Democratic Services shall insert in the summons for any meeting of the Council all notices of motion duly given in the order in which they have been received, unless the Member giving a notice has stated in writing prior to the ninth day before the meeting that they propose to move the motion at some later meeting or has withdrawn the notice.
- (d) If a Member who gives notice of a motion under this Council Procedure Rule considers that the Chair should allow the motion to be debated by the Council without being referred to the Executive or a relevant committee for prior consideration, they shall give or send by post/fax or email to the Assistant Chief Executive Legal and Democratic Services a written statement of their reasons. Provided that the statement of reasons is received not later than the ninth day before a meeting of the Council the Assistant Chief Executive Legal and Democratic Services shall arrange for the statement to accompany the summons for that meeting.
- (e) A motion which appears on the summons for a meeting shall be dealt with at that meeting if either:-
 - (i) the Chair considers that to do so would be convenient or conducive to the despatch of business; or
 - (ii) a motion 'That the motion be considered now' is put to the vote and passed. The proposer of the motion "That the motion be considered now" shall not speak for more than five minutes; and the seconder shall second it without comment. One Member may speak in opposition to the motion 'That the motion be considered now' and that Member shall not speak for more than five minutes.
- (f) If the motion is not dealt with at the meeting at which it is brought forward it shall be moved and seconded without comment and, without discussion, shall stand referred to the Executive or to those committees within whose responsibilities or terms of reference it comes, in the view of the Chair, or as the Council may determine. [Where the matter stands referred to an overview and scrutiny committee, the Scrutiny Board shall determine which particular overview and scrutiny committee is the most appropriate to consider the matter.](#)
- (g) A member who has proposed or seconded a motion which has been referred to the Executive or a committee shall receive notice of the meeting of the Executive or committee at which it is proposed to consider the motion and shall have the right to attend the meeting and to explain the motion.

(h) If a motion is referred to the Executive or one committee only, the Executive or that committee shall report to the [relevant decision-making body](#) upon that motion together with its recommendation. If a motion is referred to more than one committee, the Executive shall report to the [relevant decision-making body](#) upon that motion together with its recommendations. The report of the Executive or any committee to which a motion has been referred shall contain a statement of that motion.

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(i) When the Executive or a committee reports back on a motion, the motion, as originally moved and seconded at the earlier meeting, will be the matter before the [relevant decision-making body](#). Any recommendation of the Executive or committee to amend the motion will therefore be an amendment to the motion and any recommendation to support or oppose the motion will be only an expression of views.

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11.2 Other Meetings

(a) The Assistant Chief Executive Legal and Democratic Services shall insert in the summons for a meeting of a committee of the Council every notice of motion which is specified by a Member giving the notice as being for consideration by that committee, provided that:-

(i) the notice of motion is in writing signed by the Member giving the notice and the proposed seconder and other supporter;

(ii) the notice of motion is given or sent by post (or by e-mail from a North Yorkshire Councillor email address in which case signatures are not required), to the Assistant Chief Executive Legal and Democratic Services and received by them not later than the twenty-first day before the meeting of the committee.*

* This is to allow sufficient time for an Officers' report to be prepared on the subject matter of the notice of motion as an aid to enabling a decision to be taken on it at that meeting.

(b) A Member shall wherever possible give notice of a motion to committee rather than to Council.

(c) A Member who has proposed a notice of motion to committee in accordance with the provisions of this Council Procedure Rule may speak for not more than 5 minutes when the Council considers a report on that notice of motion.

11.3 Motions Affecting Council Staff

If the appointment, promotion, dismissal, salary, superannuation, conditions of service, or conduct of any person employed by the Council arises at a meeting of the Council, the Executive, a committee or sub-committee the matter shall not be discussed until the Council, Executive, committee or sub-committee has decided whether or not to exclude the public under Section 100A of the Local Government Act 1972.

12. MOTIONS WITHOUT NOTICE

The following motions and amendments may be moved without notice:-

- (a) Appointment of a Chair of the meeting at which the motion is made.
- (b) Motions relating to the accuracy of the minutes, closure, adjournment, order of business, or next business.
- (c) Reference to the Executive or to a committee.
- (d) Motion to exclude the public and press under Section 100A of the Local Government Act 1972.
- (e) Appointment of members of a committee or outside body, so far as arising from an item mentioned in the summons for the meeting.
- (f) Adoption of reports and recommendations of the Executive, committees or Officers and any consequent motions.
- (g) Amendment to motions.
- (h) Extending the time limit for speeches.
- (i) That an item of business specified in the summons shall have precedence, or other variation of order of business.
- (j) Suspending Council Procedure Rules in a case of emergency.
- (k) That a Member named under Council Procedure Rules be not further heard or do leave the meeting.
- (l) Giving any consent of the Council required by Council Procedure Rules.
- (m) A motion "That the motion be considered now".
- (n) A motion "That the Council debate this matter in committee."

13. RULES OF DEBATE

- (a) A Member shall stand when speaking and shall address the Chair. If two or more Members rise, the Chair shall call on one of them to speak. (This Standing Order will be deemed to have been complied with if any Member who, as a result of a disability, would find it difficult to stand, indicates their wish to speak by raising their hand.)
- (b) Except with the consent of the Council, and subject to the provisions of Council Procedure Rules, a Member shall not speak for more than three minutes on any motion or amendment, excluding the mover and the Executive Member or Chair of any Committee directly involved, who may speak for not more than five minutes.
 - (i) [At Budget and Council Plan full Council meetings, the mover, seconder and each spokesperson of a political group shall each be able to speak for 6 minutes in relation to the budget item.](#)
- (c) Whenever the Chair rises during a debate, any Member who is speaking or standing shall resume his seat and all Members shall be silent.

- (d) The ruling of the Chair on points of procedure or order and their interpretation of Council Procedure Rules shall be conclusive and no debate upon their ruling shall be allowed.
- (e) Every motion or amendment shall be moved and seconded and, unless the Chair agrees otherwise shall be handed in writing to the Chair, or to the Assistant Chief Executive Legal and Democratic Services, and shall be read before it is discussed or to put to the meeting.
- (f) When seconding a motion or amendment a Member may reserve their speech until a later period of the debate.
- (g) A Member shall direct their speech to
 - ♦ the motion or question under discussion, or
 - ♦ an amendment, or
 - ♦ a point of order or
 - ♦ a personal explanation.

A Member rising to a point of order or in personal explanation is entitled to be heard forthwith, but a point of order must specify the Council Procedure Rule to which it relates and a personal explanation must be confined to some material part of a speech by them which may have been misunderstood.

- (h) An amendment shall be either:-
 - (i) to refer the matter to an appropriate body or individual for consideration or recommendation;
 - (ii) to delete words;
 - (iii) to delete words and add others; or
 - (iv) to add words;

but such deletion or addition of words shall not have the effect of introducing a new proposal into, or of negating the motion before the Council and every amendment must be relevant to the motion to which it is moved. Where an amendment does not directly seek to negate or nullify a motion, the Chair has the discretion to reject any amendment that seeks to substantially alter the proposal of the original motion so as to lose the intention of the original motion.

- (i) Any number of amendments may be moved but once an amendment to a motion has been moved and seconded no other amendment may be moved until the first amendment has been dealt with.
- (j) If an amendment is rejected, other amendments may be moved to the motion. If an amendment is carried, the motion as amended will then be the motion to which any further amendment may be moved.
- (k) An amendment may be withdrawn by the proposer with the agreement of the seconder and the consent of the Council (to be signified without discussion), and after the proposer has asked for consent to withdraw an amendment, no Member shall speak upon it unless such consent is refused.
- (l) A Member shall not speak more than once on any motion or amendment, except in

- ♦ the exercise of the right of reply, given by paragraph (p) of this Council Procedure Rule, or
 - ♦ on a point of order, or
 - ♦ by way of personal explanation, or
 - ♦ to move any of the motions specified in paragraph (m) of this Council Procedure Rule.
- (m) At the conclusion of a speech of another Member, a Member may move without comment one of the following and, if seconded, the Chair shall proceed as follows:-
- (i) “That the Council proceed to the next business”
- Unless in their opinion the matter before the meeting has been insufficiently discussed, they shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;
- (ii) “That the question be now put;”
- Unless in their opinion the matter before the meeting has been insufficiently discussed, they shall first put to the vote the motion that the question be now put, and, if it is passed, then give the mover of the original motion their right of reply under paragraph (p) of this Council Procedure Rule before putting the motion to the vote;
- (iii) “That the debate be now adjourned” or “that the Council do now adjourn”:
- If in their opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion they shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply.
- (n) A second motion “That the Council do now proceed to the next business”, “That the debate be now adjourned” or “That the Council do now adjourn” may not be made during the same debate within a period of one hour unless, in the opinion of the Chair, the circumstances of the debate are materially altered.
- (o) During the same debate, no Member shall propose or second more than one motion for adjournment of the debate or for the adjournment of the Council, or that the Council do proceed to the next business, or that the question be put.
- (p) The mover of an amendment has no right of reply, but the proposer of a motion (other than a motion proposed under paragraph (m) of this Council Procedure Rule) shall have the right of reply and may speak for up to 5 minutes:-
- (i) at the close of the debate on the motion and immediately before it is put to the vote (except where paragraph (m) of this Council Procedure Rule requires it to be put to the vote forthwith);
- (ii) immediately before any motion to proceed to next business is put to the vote.

If any amendment to a motion is proposed, the mover of the motion shall have a right of reply at the close of the debate on each amendment and, whether the motion is amended or not, at the close of the debate on the motion, but, in

exercising a right of reply, the mover of the motion may not introduce any new matter.

Once the right of reply has been exercised a decision must be taken without further discussion.

- (q) When a motion is under debate only the following may be moved:-
- (i) that the motion be amended;
 - (ii) that consideration of the motion be postponed;
 - (iii) that the meeting be adjourned;
 - (iv) that the debate be adjourned;
 - (v) that the Council proceed to the next business;
 - (vi) that the question be now put;
 - (vii) that a Member be not further heard;
 - (viii) that a Member leave the meeting;
 - (ix) that the public be excluded under Section 100A of the Local Government Act 1972;
 - (x) that the Council debate this matter in committee.
- (r) The rules of debate set out in this Council Procedure Rule shall be suspended for any debate for which the Council has resolved, either on a motion for which notice has been given in the printed agenda or on a motion moved without notice under the relevant Council Procedure Rule "that the Council debate this matter in committee".

14. PREVIOUS DECISIONS AND MOTIONS

14.1 Subject to Council Procedure Rule 14.2, no motion to rescind a resolution which has been passed within the preceding 12 months or which would have the effect of rescinding such resolution or a material part thereof, and no motion to the same effect as a motion which has been negatived within the preceding 12 months, shall be in order unless the notice of it in the summons bears, in addition to the name of the Member proposing the motion, the names of 15 other Members; and, when any such motion has been disposed of by the Council, it shall not be competent for any Member to propose a similar motion within a further period of 12 months.

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14.2 No matter can be recalled for review or re-debate under Council Procedure Rule 14.1 within 6 months of its original consideration unless there has been a substantial material change in circumstances as determined by the Chair in consultation with the Assistant Chief Executive Legal and Democratic Services.

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14.3 This Council Procedure Rule shall not apply to motions which are moved on the recommendation of the Executive or a committee.

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22. APPLICATION TO COMMITTEES AND SUB-COMMITTEES

These Council Procedure Rules, in so far as they are applicable [and are not expressly excluded in the Rules](#), shall with any necessary modification apply to committee and sub-committee meetings, except Council Procedure Rules 11.1 and 17 and those parts of Council Procedure Rule 13 which relate to standing, to speaking more than once and to reducing amendments to writing, and those parts of Council Procedure Rule 15 which relate to a division by name.