

specific form of reply or replies. S/he may decline to give a full or any reply if in his/her opinion to do so would involve an unreasonable amount of labour or cost.

(g) The question and answer session will be limited to half an hour.

15 PUBLIC SPEAKING AT COUNCIL AND COMMITTEES

15.1 Where the meeting is open to the public, a member of the public or a representative of an organisation may speak at the invitation of the Leader/Committee Chairman in respect of an item of the agenda. However notice of a request to speak must be given to Democratic Services by no later than 5pm one clear working day before the relevant meeting. Public speaking is subject to the following time limits:

the total time for speaking on an item on the agenda is 12 minutes;
within that 12 minute period, each speaker has a maximum of 3 minutes;

15.2 In addition to the 12 minutes, a Parish or Town Council representative may be allocated a maximum of 3 minutes each;
where there are several speakers, they will be asked to appoint a spokesperson to represent all views;

15.3 When these times have expired, speakers will not be allowed to speak further unless asked by the Leader/Committee Chairman to clarify a point of fact.

15.4 The provisions relating to public speaking at Planning Committee set out at paragraph 30 below will apply to Policy and Resources Committee when acting as the Planning Referral body.

16 INVITATION OF THIRD PARTIES TO COUNCIL AND COMMITTEE MEETINGS

16.1 An ordinary meeting of Council or a Committee may invite, through the Leader or Chairman, a third party to attend a meeting and speak and answer questions on a particular item on the agenda.

16.2 An item on the agenda of an ordinary meeting of Council/Committee may be deferred if Council or the Committee agrees that a third party contribution to the discussion is necessary.

17 MOTIONS ON NOTICE

17.1 Except for motions which can be moved without notice under Rule 18, written notice of every motion must be delivered to the proper officer not later than six clear working days before the meeting of the Council at which it is to be moved. Motions will be set out in the summons for the Council in the order received, with the names of the signatories unless the Councillor giving notice states, in writing, that they propose to move it at a later meeting or withdraw it.

17.2 Notices of motions will be entered in a book open to public inspection.

17.3 Amendments to the budget are to be made in writing and delivered to the Proper Officer by 5pm on the Monday before the meeting. In proposing any changes to the budget any amendment must ensure that the proposal achieves a balanced budget.

17.4 If a motion set out in the summons is not moved by a Councillor who gave notice or by another Councillor it will, unless postponed by the Council, be withdrawn.

17.5 If the subject of a motion comes within the province of any Committee(s) or Sub-Committee(s) it will, on being moved and formally seconded, be referred to the relevant Committee(s) or Sub-Committee(s), or to other such forum as the Mayor may determine, but before such referral the Notice of Motion will be debated at the Council meeting and the debate will be subject to the following controls:

- (a) The debate will be at the discretion and control of the Mayor; and
- (b) Where possible Officers will provide a factual briefing note to assist Councillors in the debate.

However the Mayor may, if s/he considers it convenient and conducive to the dispatch of business or to be of sufficient urgency, allow the motion to be dealt with at the Council meeting.

17.6 If the mover of the motion is not a member of Committee(s) or Sub-Committee(s) to which it has been referred s/he will be entitled to attend the meeting of the Committee(s) or Sub-Committee(s) to put forward his/her view but not vote on the matter or propose or second any motion or amendment.

17.7 Every motion must be relevant to the Council's powers or duties or to a matter which affects the Borough.

17.8 Any motion which in the opinion of the proper officer after consultation with the Head of Legal Partnership is out of order, or illegal, will be submitted to the Mayor who will decide whether it is accepted and the proper officer will notify the Councillor(s) accordingly.

18 MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- (a) to appoint a chairman of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda;
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a Committee or Councillor arising from an item on the summons for the meeting;

- (f) to receive reports or adoption of recommendations of Committees or officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to amend a motion;
- (i) to proceed to the next business;
- (j) to move;
- (k) to adjourn a debate;
- (l) to adjourn a meeting;
- (m) before the hour of 10.30 pm being reached to extend the meeting until 11.00 pm in accordance with Council procedure rule 10(a);
- (n) to suspend a particular Council procedure rule;
- (o) to exclude the public and press in accordance with the Access to Information Rules;
- (p) to not hear further a Councillor named under Rule 25.3 or to exclude them from the meeting under Rule 25.4 ;
- (q) to give the consent of the Council where its consent is required by this Constitution;
- (r) to extend the time limit for speeches;
- (s) to determine the time and date of the adjourned meeting in accordance with Council procedure rule 10(b); and
- (t) to put the motion in parts to the vote.

19 RULES OF DEBATE

19.1 No speeches until motion seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

19.2 Right to require motion in writing

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him/her before it is discussed.

19.3 Secunder's speech

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

19.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation or point of order. No speech may exceed three minutes without the consent of the Mayor, except when moving a motion submitted in accordance with rule 17 above, when the mover will be entitled to speak for five minutes, or except when a Group Leader is moving his/her Group's budget proposals at the Budget Making Council, when the mover will be entitled to speak for ten minutes.

19.5 When a Councillor may speak again

A Councillor who has spoken on a motion may not speak again whilst it is the subject of debate, except: to speak once on an amendment moved by another Councillor;

- (a) to move a further amendment if the motion has been amended since s/he last spoke;
- (b) if his/her first speech was on an amendment moved by another Councillor, to speak on the main issue (whether or not the amendment on which s/he spoke was carried);
- (c) in exercise of a right of reply;
- (d) on a point of order; and
- (e) by way of personal explanation.

19.6 Amendment to motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion.

- (b) 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.
- (c) If an amendment is not carried, other amendments to the original motion may be moved.
- (d) 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.

- (e) If there are no further amendments the Mayor will put the substantive motion to the vote.

19.7 Alteration of motion

- (a) A Councillor may when moving a motion of which s/he has given notice alter it with the consent of the meeting and the other signatories. The meeting's consent will be signified without discussion.
- (b) A Councillor may alter a motion which s/he has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- (c) Only alterations which could be made as an amendment may be made.

19.8 Withdrawal of motion

A Councillor may withdraw a motion which s/he has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No Councillor may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

19.9 Right of reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) The mover of the amendment has a right of reply to the debate on his/her amendment (before the right of reply of the mover of the original motion).
- (c) 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, if s/he has spoken on it.

19.10 Motions which may be moved during debate

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

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) to move;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;

- (g) that the meeting continue until 11.00pm;
- (h) to exclude the public and press in accordance with the Access to Information Rules; or
- (i) to not hear further a Councillor named under Rule 25.3 or to exclude them from the meeting under Rule 25.4.

19.11 Closure motions

- (a) A Councillor may move, without comment, the following motions at the end of a speech of another Councillor:
 - (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, s/he will give the mover of the original motion a right to reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, s/he will put the procedural motion to the vote. If it is passed s/he will give the mover of the original motion a right to reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, s/he will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

19.12 Point of order

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

19.13 Personal explanation

A Councillor may make a point of personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the Councillor (whether or not made at the meeting) which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the

admissibility of a personal explanation will be final.

20 PREVIOUS DECISIONS AND MOTIONS

20.1 Motion to rescind a previous decision

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of Motion is signed by at least one third of the whole number of the Council

20.2 Motion similar to one previously rejected

A Motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of Motion or amendment is signed by at least one third of the whole number of the Council Members. Once the Motion or amendment is dealt with, no one can propose a similar Motion or amendment for six months.

21 LEADERS REPORT ON CURRENT ISSUES

21.1 At every Ordinary Meeting of the Council (except the Annual Meeting) after the Question and Answer session dealing with questions by Councillors, the Leader shall report to the Council on current issues.

21.2 The Leaders of every other Group shall then have the right to respond to the issues raised.

21.3 Each Group Leader may speak for up to five minutes.

21.4 After the Leader and the other Group Leader have spoken the Mayor will open the item to questions from Councillors for a period of fifteen minutes.

21.5 Questions to be asked by Councillors as set out in 21.4 above will be limited to those issues raised by the Leader and the other Group Leaders in their speeches. Questions will be answered as directed by the questioner and will not require a response from all Group Leaders. The Mayor will be the sole determinant of whether the question relates to the issues raised in these speeches.

22 VOTING

22.1 Unless this Constitution (or the law) provides otherwise, any matter will be decided by a simple majority of those Councillors voting and present in the room at the time the question was put.

22.2 Mayor's casting vote

If there are equal numbers of votes for and against, the Mayor will have a second or casting vote, regardless of whether s/he has used his/her first vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.