

PART 3A: COUNCIL PROCEDURE RULES

1. ANNUAL MEETING OF THE COUNCIL

Timing and Business

- 1.1 In a year when there is an ordinary election of Councillors, the Annual Meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the Annual Meeting will take place in March, April or May.
- 1.2 The Annual Meeting will:-
- (a) elect a person to preside if the Lord Mayor and the Deputy Lord Mayor are not present;
 - (b) receive any apologies for absence;
 - (c) receive any correspondence and announcements of the Lord Mayor;
 - (d) elect the Chair of the Council (being Lord Mayor of the City);
 - (e) give a vote of thanks to the Retiring Lord Mayor;
 - (f) elect the Vice-Chair of the Council (being Deputy Lord Mayor of the City);
 - (g) elect the Leader of the Council in any year in which the current Leader's term of office expires. If the Council does not elect the Leader at the Annual Meeting, the election of the Leader shall be an item on the agenda at every ordinary meeting of the Council after the Annual Meeting until the Leader is elected. The existing Leader appoints a Deputy Leader and Cabinet for the discharge of Executive Functions until the Leader is elected; where this is not possible, the Deputy Leader shall become Leader and appoint a Deputy Leader and Cabinet for the discharge of Executive Functions until the Leader is elected;
 - (h) receive the report of the Leader of the Council on the appointment of the Deputy Leader, the composition of the Cabinet and the appointment of Deputy Cabinet Members and the allocation of Executive Functions within the Cabinet;
 - (i) agree the minutes of the last meeting and their signature;
 - (j) receive the return of persons elected as Councillors (when applicable);
 - (k) receive any declarations of interest from Councillors;

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- (l) establish the Licensing and Regulatory Committee, Planning Committee, Health and Wellbeing Board, Scrutiny Co-ordination Committee, Scrutiny Boards, Audit and Procurement Committee, an Ethics Committee and such other Committees as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are executive functions as set out in Part 2, of this Constitution. This may also include the appointment of the Chair and Deputy Chair of those bodies;
- (m) decide the size and terms of reference for those Scrutiny Boards and Committees;
- (n) decide the allocation of seats to political groups in accordance with the political balance rules;
- (o) receive nominations and appoint Councillors to serve on each Scrutiny Board, and Committee;
- (p) receive nominations and appoint to outside bodies;
- (q) approve a programme of ordinary meetings of the Council, Cabinet, Scrutiny Boards, Committees and Advisory Panels for the year including the date and time of the next Annual Meeting; and
- (r) consider any business set out in the notice convening the meeting.

1.3 If it becomes clear either before the Annual Meeting or on the day itself that there are areas of contention, then the fall-back position will be to adjourn the Annual Meeting following the appointment of the Lord Mayor/Deputy Lord Mayor and reconvene to a future date provided that it complies with the timescale referred to in Rule 1.1.

2. ORDINARY MEETINGS

Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's Annual Meeting. Ordinary meetings will:-

- (a) elect a person to preside, if the Lord Mayor and the Deputy Lord Mayor are not present;
- (b) receive any apologies for absence;
- (c) agree the minutes of the last meeting and their signature;
- (d) receive any return of persons elected as Councillors;
- (e) present the Citizen of the Month Award;
- (f) receive any correspondence and announcements of the Lord Mayor;
- (g) receive any petitions in accordance with the Petitions Procedure Rules;
- (h) receive any declarations of interest by Councillors;

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- (i) determine any matters left for determination by the City Council;
- (j) consider recommendations for the City Council;
- (k) receive questions and provide answers to Councillors (except at the Council Tax/Budget setting meeting);
- (l) receive any statement by the Leader of the Council or his or her nominated speaker on any changes to the composition of the Cabinet or allocation of executive functions within the Cabinet or to employees or on any matter of significant importance to the City;
- (m) consider motions; and
- (n) approve extensions to the programme of ordinary meetings of the Council, Cabinet, Scrutiny Boards and Committees.

3. EXTRAORDINARY MEETINGS

Calling Extraordinary Meetings

- 3.1 Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:-
- (a) the Council by resolution;
 - (b) the Lord Mayor;
 - (c) the City Solicitor or
 - (d) any five Councillors if they have signed a requisition presented to the Lord Mayor and ~~she/he~~if the Lord Mayor has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.
- 3.2 Any requisition under Rule 3.1(d) will be addressed to the Lord Mayor by being left for the Lord Mayor at a location* designated by the City Solicitor. The requisition will indicate the business to be transacted at the meeting.
- *NB: The location currently designated is Room 79 in the Council House.
- 3.3 The date, time and location of any extraordinary meeting will be fixed by the City Solicitor after consultation with the Lord Mayor and the Leader of the Council.
- Honorary Aldermen and/or Honorary Alderwomen**
- 3.4 The Council has approved a protocol for the enrolment of Honorary Aldermen and/or Honorary Alderwomen. That protocol is attached at Annex 2 to this part.

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4. TIME PLACE AND DURATION OF MEETINGS

4.1 The time and place of meetings will be determined by the City Solicitor and notified in the summons.

4.2 Any ordinary meeting of the Council may be cancelled, rearranged or relocated by the City Solicitor ~~after~~following consultation with the Lord Mayor and the Leader of the Council.

Where there is no formal Council Business to consider and approve (i.e. recommendations or items for consideration) the Council Meetings identified as "If Necessary" in the Municipal Calendar may be cancelled, but only following consultation with the Lord Mayor and the Leader of the Council.

4.3 There will be no restriction on the duration of meetings except that if any Council meeting continues for a period of more than 3 hours, there will be a break in proceedings as soon as 3 hours has elapsed since the start of the meeting unless the Council votes unanimously to continue without a break or the Lord Mayor or other person chairing the meeting determines that the remainder of the business of the meeting can be concluded within a reasonable time so as to render any break unnecessary. The break will be for a maximum of 30 minutes. This provision is intended to safeguard the health and wellbeing of Councillors and employees present at any meeting.

5. NOTICE OF AND SUMMONS TO MEETINGS

The City Solicitor will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the City Solicitor will send a signed summons ~~signed by him or her~~ by post to every Councillor or leave it at their usual place of residence or such other place as requested. 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.

6. CHAIR OF MEETING

6.1 The Lord Mayor or, ~~in his or her absence, if absent~~ the Deputy Lord Mayor will chair meetings of the City Council. In the absence of both the Lord Mayor and the Deputy Lord Mayor, the City Council will elect another Councillor, other than a Member of the Cabinet, to chair the meeting.

6.2 If it is necessary to select a Councillor to chair the meeting in the absence of the Lord Mayor and the Deputy Lord Mayor, the Chief Executive (~~or, in his or her absence, if absent~~ the City Solicitor) will call for a Councillor to move that another Councillor should be nominated to chair the meeting.

6.3 If discussion arises on that motion, the Chief Executive (~~or, in his or her absence, if absent~~ the City Solicitor) will exercise the powers of the Chair to regulate that discussion and to maintain order at the meeting.

6.4 The Lord Mayor will be addressed "Lord Mayor". The Deputy Lord Mayor when chairing the meeting will be addressed as "Deputy Lord Mayor" and any other

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Councillor elected to chair a meeting will be addressed as "Chair".

- 6.5 The Deputy Lord Mayor or other Councillor chairing the meeting will be entitled to exercise any power of the Lord Mayor in relation to the conduct of that meeting.

7. QUORUM

- 7.1 Subject to Rule 7.5, no business will be dealt with unless there is a quorum of 14 Councillors.

- 7.2 If, at the expiration of 15 minutes after the time at which any meeting is appointed to be held, there is no quorum present, the meeting will not take place.

- 7.3 If during any meeting, the Lord Mayor, after counting the number of Councillors present, declares that there is not a quorum present, the meeting will stand adjourned for fifteen minutes.

- 7.4 If, after 15 minutes, there is no quorum present, the meeting will end. The consideration of any business not transacted will be adjourned to a date, time and location fixed by the Lord Mayor at that time or, if she/he does not fix a date, time and location at that time, to the next ordinary meeting.

- 7.5 If Councillors are required to leave the meeting due to their declaration of an interest under the Code of Conduct for Elected and Co-opted Members their leaving the meeting will ~~not~~ affect the quorum so long as they are absent-

8. QUESTIONS BY COUNCILLORS

- 8.1 At ordinary meetings of the Council, except the Council Tax and/or Budget setting meeting, there will be a Question Time. The procedure for dealing with Written Questions at Council Meetings is set out at paragraph 8.2.

- 8.2 A Councillor may put in writing a question concerning any matter relating to Council business to be answered at the meeting by the appropriate Cabinet Member, Deputy Cabinet Member, Chair or other Councillor. Such questions must be delivered to the City Solicitor at a designated location* ~~designated by her/him~~ not later than 9.00 a.m. at least 5 clear working days before the date scheduled for the meeting of the City Council. The deadline for receiving written questions is 9.00 am on the Monday, a week before the Council Meeting on the Tuesday. As soon as any question is received, it will be forwarded to the appropriate Cabinet Member, Deputy Cabinet Member, Chair or other Councillor or Director.

*NB: the location currently designated is Room 79 in the Council House.

- 8.3 The Cabinet Member, Deputy Cabinet Member, Chair or other Councillor will arrange for a written response to be prepared, which must be with him/her/them by 5.00 pm on the Friday before Council.

- 8.4 The Cabinet Member, Deputy Cabinet Member, Chair or other Councillor will

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then have up until 4.00 pm on the Monday the day before Council to check the responses before it needs to be e-mailed to the appropriate Governance Services Officer. The Governance Services Officer will then send the responses to all Councillors by 5.00 pm on the Monday. Copies of all the responses will be circulated at the Council meeting.

- 8.5 While an answer will normally be written and circulated to Councillors at the meeting, it may also be given orally by the Cabinet Member, Deputy Cabinet Member, Chair or other Councillor replying, or a combination of both. The Lord Mayor will have the power to allow supplementary oral questions and to disallow any such question which in ~~his or her~~ the Lord Mayor's opinion is irrelevant or frivolous or a repetition of or substantially similar to a question already asked upon that part of the proceedings.
- 8.6 A Councillor may ask a Chair of a Scrutiny Board, the Scrutiny Co-ordination Committee or the Chair of any other Body any oral question relating to the work of that Board, Committee or Body. The Lord Mayor will call on Councillors in the order in which they catch his or her eye. The Chair will reply orally at the meeting or a written answer will be circulated to Councillors after the meeting within 7 working days of the meeting. The Lord Mayor will have the power to allow supplementary oral questions and to disallow any oral question which, in ~~his or her~~ the Lord Mayor's opinion, is irrelevant or frivolous or a repetition of or substantially similar to the question(s) already asked.
- 8.7 A Councillor may ask the nominated spokespersons of the West Midlands Fire and Rescue Authority or the West Midlands Integrated Transport Authority a written question about any matter which relates to the work of that Authority. The question must be delivered to the City Solicitor at a designated location* ~~designated by her/him~~ not later than 9.00 a.m. at least 5 clear working days before the date scheduled for the meeting of the City Council. An answer may be written and circulated to Councillors at the meeting, given orally by the nominated spokesperson or a combination of both. The Lord Mayor will have the power to allow supplementary oral questions and to disallow any oral questions which, in ~~his or her~~ the Lord Mayor's opinion, is irrelevant or frivolous or a repetition of or substantially similar to a question or question(s) already asked.

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8.8 A Councillor may ask another Councillor or an Employee, who is a director of an authorised company as defined by Section 71(1) of the Local Government and Housing Act 1989, a written question about any matter which relates to the activities of that company. The question must be delivered to the City Solicitor at a designated location* ~~designated by her/him~~ not later than 9.00 a.m. at least 5 clear working days before the date scheduled for the meeting of the City Council. An answer may be written and circulated to Councillors at the meeting, given orally or a combination of both. Nothing will require the other Councillor or the Employee to disclose any information about the company which has been communicated to ~~her/him~~them in confidence. The Lord Mayor will have the power to allow supplementary oral questions and to disallow any oral questions which, in ~~his or her~~the Lord Mayor's opinion, is irrelevant or frivolous or a repetition of or substantially similar to a question or question(s) already asked.

*NB: the location currently designated is Room 79 in the Council House.

8.9 A Councillor may ask a Council representative on an outside body an oral question at the meeting without prior notice being given on any matter pertaining to that outside body. The Lord Mayor will call on Councillors in the order in which they ~~catch his or her eye~~are seen. An answer may be given orally by the representative on the outside body at the meeting or a written answer circulated to Councillors after the meeting, within 7 working days of the meeting. The Lord Mayor will have the power to allow supplementary oral questions and to disallow any such question which in ~~his or her~~the Lord Mayor's opinion is irrelevant or frivolous or a repetition of or substantially similar to a question or question(s) already asked.

8.10 A Councillor may ask a Cabinet Member or a Deputy Cabinet Member, an oral question at the meeting without prior notice being given on any other matter relating to the Cabinet Member's or the Deputy Cabinet Member's portfolio. The Lord Mayor will call on Councillors in the order in which they are seen~~catch his or her eye~~. An answer may be given orally by the Cabinet Member or the Deputy Cabinet Member at the meeting or a written answer circulated to Councillors after the meeting, within 7 working days of the meeting. The Lord Mayor will have the power to allow supplementary oral questions and to disallow any such question which, in ~~his/her~~the Lord Mayor's opinion, is irrelevant or frivolous or a repetition of or substantially similar to a question or questions already asked.

8.11 All questions referred to in Rules 8.2, 8.7 and 8.8 will be considered in the order received by the City Solicitor. The Lord Mayor may change the order of questions at the meeting if it is expedient to do so~~she/he considers it expedient~~. Copies of all questions will be circulated to all Councillors and made available to the public attending the meeting.

8.12 No paperwork may be circulated at the meeting in respect of oral questions.

8.13 All supplementary questions should relate to the original question asked or from the response provided.

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9. MOTIONS ON NOTICE

- 9.1 Every notice of motion to be inserted in the summons for the next meeting of the City Council will be in writing and signed by the Councillor intending to move it and by the Councillor intending to second it. The notice must be delivered to the City Solicitor at a designated location* ~~designated by her/him~~ or sent electronically to Governance Services, not later than 9.00 a.m. at least 5 clear working days before the date scheduled for the meeting of the City Council. Any hard copy motions received will be date stamped and scanned by Governance Services. The City Solicitor will only accept notices of motion which fulfill these requirements and will not accept more than one notice of motion per Political Group**. Should a Councillor from a Political Group wish to second a Motion submitted by an individual Councillor, then the Group to which that Councillor belongs will forfeit the right to submit a Motion to the meeting. An individual Councillor may second a Political Group motion with the agreement of that Group Leader.

No Motions on Notice will be allowed at the February Council Tax /Budget setting meeting.

Motions on Notice must be about matters for which the authority has a responsibility or which affect the City, but may not seek to pre-empt a decision on a planning or licensing matter nor seek to discharge an Executive function.

*NB: the location currently designated is Room 79 in the Council House

** "Political Group" to be interpreted in accordance with The Local Government (Committees and Political Groups) Regulations 1990

- 9.2 The City Solicitor will set out in the summons for every meeting of the City Council, all motions of which notice has been duly given under the heading "Debates", in the order in which they have been received unless the Councillor giving such notice intimated in writing, when giving it, ~~that she/he proposed of~~ their intention to move it at some later meeting, or has since withdrawn it in writing.
- 9.3 If a motion set out in the summons is not moved and seconded either by the Councillor who gave notice thereof, or by some other Councillors on their behalf it will, unless postponed by consent of the City Council, be treated as withdrawn and will not be moved without fresh notice.
- 9.4 The mover of a motion or amendment will speak for no more than 5 minutes. All other speeches on the motion will each be for no more than 3 minutes.
- 9.5 An amendment to a notice of motion will not be discussed unless it has been moved and seconded. It will be put in writing and handed to the City Solicitor before it is put to the meeting.
- 9.6 When a motion is made in pursuance of a notice of motion, and the subject is referred by the City Council to a Body, the City Solicitor will send notice of the

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meeting at which the subject will be considered to the proposer and seconder of the motion, unless they are themselves members of that Body. The proposer and seconder will not be entitled to vote unless either of them is a member of the Body.

9.7 If a motion is made in pursuance of a notice of motion which would increase expenditure of the City Council, or reduce income to the City Council, then the motion will be regarded as tentative only and will be referred by the City Council to the appropriate Body for them to consider and make their views known to the City Council before formal approval is given.

9.8 The tentative decision will be included in the summons for the next appropriate meeting of the City Council where the City Council may confirm, amend or rescind it, having regard to the views of the appropriate Body.

10. MOTIONS WITHOUT NOTICE

10.1 The following motions may be moved without notice:

- (a) to elect a Councillor to chair the meeting;
- (b) to agree the minutes of the previous meeting;
- (c) to re-order the business on the agenda;
- (d) to refer an item to the agenda of the next ordinary meeting, or to the Cabinet, Cabinet Member, Scrutiny or a City Council Committee;
- (e) to combine debates on items on the agenda;
- (f) to withdraw an item from the agenda;
- (g) to suspend particular Council Procedure Rules;
- (h) not to hear, on the motion of the Lord Mayor, a Councillor further or to require a Councillor to leave a meeting;
- (i) to record the Council's appreciation or condolence;
- (j) to receive a petition;
- (k) to refer a matter raised by a petition or question to the Cabinet, Cabinet Member, Scrutiny, City Council Committee or to an external body;
- (l) to obtain the agreement of the meeting in any case where a particular Council Procedure Rule requires it;
- (m) to appoint Councillors or other persons to an external body;
- (n) to proceed to the next business;
- (o) that the questions now be put;

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- (p) to adjourn a debate; (see also Rules 15.9 to 15.11)
- (q) to adjourn a meeting;
- (r) to exclude the press and public in accordance with the Access to Information Rules

11. PETITIONS

Petitions will be presented as provided for in the Petitions Procedure Rules.

12. STATEMENT BY THE LEADER OF THE COUNCIL OR A NOMINATED SPEAKER

- 12.1 The Leader of the Council, or a Councillor nominated by ~~her/him~~the Leader, will be entitled to make a statement on an issue or matter of significant importance to the City. The statement will last no more than 10 minutes.
- 12.2 Where there is to be a Statement by the Leader, the Leaders of the other political groups will be notified of the subject matter at the earliest opportunity.
- 12.3 A Councillor from each of the other Groups represented on the Council will be entitled to respond to the statement. The response will last no more than 10 minutes.
- 12.4 The Leader of the Council or the nominated Councillor will be entitled to a right of reply lasting no more than 5 minutes, but there will be no further debate.

13. STATEMENT BY CABINET MEMBERS OR DEPUTY CABINET MEMBERS

- 13.1 A Cabinet Member or Deputy Cabinet Member will be entitled to make a statement on an issue or matter within their portfolio and which is of significant importance to the City. The statement will last no more than 10 minutes.
- 13.2 Where there is to be a Statement by a Cabinet Member or Deputy Cabinet Member, the Leaders of the other political groups will be notified of the subject matter at the earliest opportunity.
- 13.3 A Councillor from each of the other Groups represented on the Council will be entitled to respond to the statement. The response will last no more than 10 minutes.
- 13.4 The Cabinet Member or Deputy Cabinet Member will be entitled to a right of reply lasting no more than 5 minutes, but there will be no further debate.

14. RECOMMENDATIONS SUBMITTED TO THE CITY COUNCIL

- 14.1 Recommendations submitted to the City Council will be reproduced and a copy will be issued to each Councillor prior to or with the summons for the meeting of the City Council at which they are to be submitted. In case of urgency, such recommendations may be issued during the interval between the summons and the meeting, provided that due notice of the business is included in the

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summons.

- 14.2 Recommendations submitted to the City Council will include all matters which are listed in Part 2 as being functions of the Council.
- 14.3 In case of doubt whether a delegated matter ought, under this Standing Order, to be dealt with in any particular manner, the City Solicitor will have the power to decide the point and his or her decision will be final.
- 14.4 The City Solicitor will reproduce the recommendations submitted to the City Council for consideration in such order as will appear to ~~her/him~~to the City Solicitor to be the most convenient for consideration by the City Council.
- 14.5 Upon the consideration of the recommendations before Council for consideration, the motion for the confirmation of the recommendations will be submitted by the Cabinet Member, Chair, Deputy Chair, or other Councillor having charge thereof. In doing so, ~~she/he may~~the Member may, with the consent of the City Council (signified without discussion), withdraw from consideration a specified item of business or move the confirmation of recommendations with a specified alteration. On the consideration of the motion, it will be competent for any Councillor to call the attention of the City Council to, and fully discuss, any subject matter referred in the recommendations which still remains before the City Council, having regard to any earlier withdrawal or amendment.
- 14.6 The rules of debate in Rules 15.1 to 15.20 will apply to recommendations.

15. RULES OF DEBATE

- 15.1 A diagram detailing the Process for Debates is appended as Annex 1 to this section.
- 15.2 A Motion or amendment will not be discussed unless it has been proposed and seconded, and it will, unless the Lord Mayor dispenses with this requirement, be produced in writing and handed in to the City Solicitor before it is further discussed or put to the meeting. A copy of any amendment(s) will be circulated to all members at the meeting when the amendment(s) has/have been moved and seconded. Every amendment must be the subject of a vote unless the amendment, having been moved and seconded, is withdrawn by the proposer.
- 15.3 A Councillor intending to move an amendment will declare that intention, together with the wording of the amendment and the name of the Councillor then present in the meeting who has agreed to second the amendment, within three minutes of starting to speak in the debate on a Motion. Once the amendment has been moved and seconded the debate is then on the amendment. The Councillor named to second the amendment will, immediately upon being so named, indicate ~~their his or her~~to this agreement to the Lord Mayor by show of hand. The mover of the amendment may thereupon continue to speak, provided that, in total, the length of his or her speech will not exceed five minutes.
- 15.4 If the mover of an amendment does not, for whatever reason, name ~~his~~their

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seconded as prescribed in Rule 15.3 or, if the named seconder fails to indicate agreement by show of hand, the mover of the amendment will speak for no more than three minutes and will then sit. The Lord Mayor will then call for a seconder of the amendment. If any Councillor present seconds the amendment, the mover of the amendment will have the right to resume ~~his~~their speech for a further period not exceeding two minutes. If no Councillor present seconds the amendment, the mover of the amendment will not speak further upon the amendment.

15.5 The mover of an original motion will have the right of reply at the close of a debate upon the recommendation immediately before either it is put to the vote or before a motion is put that:-

- "the question now be put"
- "the debate be now adjourned", or
- "that the Council so now proceed to the next business"

If an amendment is proposed:-

(1) the mover of the original motion will be entitled to speak on any amendment to the motion immediately before the reply and;

(2) the mover of the amendment will have the right of reply at the close of the debate on the amendment immediately before it is either put to the vote or before a motion is put that:-

- "the question now be put"
- "the debate be now adjourned" or
- "that the Council so now proceed to the next business"

15.6 A Councillor, when seconding a motion or an amendment, may reserve ~~his or her~~their right to speak until later in the debate provided that ~~she/he~~the Member clearly signifies ~~his or her~~their intention to do so.

15.7 A Councillor may speak once in relation to any motion; and once more in relation to any amendment to that motion; and once more in relation to each and every further amendment in any debate. This is in addition to any right of reply on a point of order or by way of personal explanation. All contributions to any debate must refer directly to the motion or the amendment before the Council.

15.8 A Councillor, who has not participated in the debate then before the City Council, may at the conclusion of a speech of another Councillor, move without comment "that the question be now put". On the seconding of that motion the Lord Mayor (if in his or her opinion the question has been sufficiently discussed) will put this motion to the vote. If it is carried, the question before the meeting will then be put to the vote following the reserved right to second in Rule 15.6 above and the right of reply in Rule 15.5 above.

15.9 A Councillor may move:-

- (a) "that the Council do now adjourn"

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- (b) "that the Council do now proceed to the next business", or
- (c) "that the debate be now adjourned"

The Councillor moving such a motion will give ~~his or her~~ reasons for the motion in a speech not exceeding 2 minutes. The motion must be seconded without speech.

On the seconding of that motion ~~if it is~~ the Lord Mayor's ~~(if in his or her opinion that~~ the question has been sufficiently discussed~~.)~~ will put this motion to the vote. If it is carried, the question before the meeting will then be put to the vote following the reserved right to second in Rule 15.6 above and the right of reply in Rule 15.5 above.

- 15.10 A second motion "that the Council do now adjourn", "that the Council do now proceed to the next business" or "that the debate be now adjourned" will not be made within a period of 15 minutes unless it is moved by the Lord Mayor or unless some business or subject of debate is before the City Council when the second motion is moved which was not before the City Council when the first motion was moved.
- 15.11 On the resumption of an adjourned debate, the Councillor who moved the adjournment will be entitled to speak first.
- 15.12 A Councillor, when speaking must stand and address the meeting through the Lord Mayor unless the Member has physical difficulties in doing so, in which case they will receive an automatic dispensation to address the meeting while seated. If more than one Councillor ~~stands~~addresses the meeting, the Lord Mayor will ask one to speak and the others will ~~sit~~be silent. Other Councillors must remain seated whilst a Councillor speaks, unless they wish to make a point of order or of personal explanation (see Rules 15.19 and 15.20).
- 15.13 Except as provided for in Rule 15.14 below, a Councillor moving a motion or amendment may speak for not more than 5 minutes and other speeches will last no more than 3 minutes.
- 15.14 The time limits referred to Rule 15.13 above will not apply to:-
 - (a) Business at Annual Meetings of the City Council; or
 - (b) The proposer of a recommendation to the City Council in respect of the level of Council Tax/Council Budget to be levied each year and the Leader (or nominee) of each Political Group (or their nominated speaker) on the Council budget in respect of that recommendation.

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- 15.15 Every amendment must relate to the motion on which it is moved and may:-
- (a) refer a matter back to the Body concerned;
 - (b) leave out words;
 - (c) add or insert words; or
 - (d) leave out words and add or insert words
- but such omissions, insertions or additions of words will not have the effect of negating the motion before the City Council.
- 15.16 If an amendment is rejected, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended will become the Substantive Motion and be the motion upon which any further amendment may be moved.
- 15.17 A further amendment will not be moved until the City Council has disposed of every amendment previously moved. When an amendment is proposed, the Proposer of the original or amended Motion may decide to accept that amendment. Should the Proposer accept the amendment, then the wording contained in the amendment will be incorporated into the original or amended Motion and will be treated as part of the Motion then under debate. Where an amendment is accepted, the right of reply of the Mover of the amendment set out in Rule 15.5 will not apply.
- 15.18 **Council Tax/Budget Debate Process**
- (a) The proposer of the recommendation will move the budget. This speech will not be time limited.
 - (b) This will be seconded and the seconder will speak or reserve the right to speak.
 - (c) The Leader of the Main Opposition Group (or nominated speaker) will move any amendment to the recommendation. This speech will not be time limited.
 - (d) The Deputy Leader of the Main Opposition Group (or nominated speaker) will second the amendment and speak or reserve the right to speak.
 - (e) The debate on the amendment will take place; the vote on the amendment will take place and the amendment will be carried or lost. If carried, this would become the substantive motion.
 - (f) The Leader of the largest of the minority Groups (or nominated speaker) will move any amendment to the motion. This speech will not be time limited.
 - (g) A representative of that Group will second the amendment and speak or reserve the right to speak.

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- (h) As (e) above.
- (i) The Leader (or nominated speaker) of any of the remaining minority Groups will move any amendment (in the order in which they are seen by catch the eye of the Lord Mayor). These speeches will not be time limited. Representatives of those Groups will second the amendment and speak or reserve the right to speak. This will apply to any remaining minority Groups.
- (j) As (e) above.
- (k) Any further amendments will be moved in the order in which the proposer catches the eye of is seen by the Lord Mayor.
- (l) When there are no more amendments, the debate on the substantive motion takes place and the vote is taken.

- Notes:
- 1. In accordance with the Council Procedure Rules, the mover of the original motion (or substantive motions if the original motion is amended) is entitled to speak on any amendment immediately before the reply by the mover of the amendment.
 - 2. Should adjournments be necessary during the course of the meeting, rooms will be made available.
 - 3. If the proposer of the recommendation is not the Leader of the Council, then the Leader of the Council will be given one opportunity for a speech that is not time-limited.
 - 4. Procedure Rule 18.5 shall apply to any vote taken on any motion, amendment or substantive motion relating to the approval of the budget or setting of council tax.

5. No Motions on Notice will be allowed at the Council Tax/Budget setting meeting.

15.19 Point of Order

- (a) A point of order is a request by a Councillor to the Lord Mayor to rule on an alleged irregularity in the constitutional conduct of the meeting.
- (b) The Councillor will ~~rise to~~ make the point immediately she/he notices it and state the Procedural Rule in question, and how it is broken. Immediately after the point of order has been raised, the Councillor will resume his or her seat then await the ruling of the Lord Mayor and resume their seat.
- (c) The Lord Mayor will decide the issue raised in the point of order and announce his or her ruling before the debate continues. There will be no discussion on that ruling.

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15.20 Point of Personal Explanation

- (a) A Councillor may find that ~~she/he a statement they have made has made a statement which~~ is misquoted by a later speaker, or that another Councillor has misunderstood or misquoted what was said.
- (b) If this happens, ~~she/he the member~~ –may raise ~~on~~ a point of personal explanation and, with the permission of the Lord Mayor, interrupt the speaker to correct the misunderstanding.

16. COUNCILLORS' INTERESTS

- 16.1 Councillors' obligations in relation to the declaration of interests are set out in more detail in Part 4 of the Constitution.

17. SIX MONTH RULE

- 17.1 No Councillor may move a motion or amendment to rescind a decision made at a meeting of the full City Council within the previous six months.

- 17.2 No Councillor may move a motion or amendment in similar terms to one which has been rejected at a meeting of the City Council in the previous six months.

Rule 17.2 does not apply to a motion to remove the Leader from the role of Leader.

18. VOTING

- 18.1 The vote on every question will be taken by the voice, except where by law or in these Rules it is otherwise provided, but if the Lord Mayor is unable to decide upon the voices or if any two Councillors challenge his or her decision thereon, the vote will be taken by a show of hands. Councillors are required to be seated in their allocated position when the vote is taken.
- 18.2 If, before the Lord Mayor finally declares the result of the vote (whether taken by the voice or by show of hands), any 2 Councillors require a recorded vote, this will supersede any vote taken under 18.1 above.
- 18.3 A recorded vote will be taken immediately afterwards and recorded in the minutes. A Councillors vote will only be recorded if the Councillor personally answers "For", "Against" or "Abstain" immediately after his or her name is called by the City Solicitor.
- 18.4 Where any Councillor requests it immediately after the 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.
- 18.5 A recorded vote will be required at a meeting of the Council on motions, amendments or substantive motions relating to the approval of the budget or setting of council tax, whereby there shall be recorded in the minutes the names of the Members who cast a vote for the motion/amendment or against

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the motion/amendment or who abstained from voting. As this is a mandatory standing order under the Local Authorities (Standing Orders) Regulations 2001, it cannot be suspended under Council Procedure Rule 23.

- 18.6 In the case of an equality of votes, the Lord Mayor will have a casting vote in addition to his or her vote as a Councillor.

NOTE: As a matter of convention, at full Council meetings only where there is an equality of votes, the Lord Mayor will cast his or her casting vote in favour of the largest political group represented on the Council.

- 18.7 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.

19. MINUTES

- 19.1 The minutes of every meeting of the City Council will be reproduced and a copy sent before the next subsequent meeting to each Councillor. At such subsequent meeting, the Lord Mayor will call for a motion that the minutes of the previous meeting be signed as a correct record. Once such motion is approved, the minutes will be signed by the Lord Mayor. The only part of the minutes that can be discussed is their accuracy.

- 19.2 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.

20. EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 3 of this Constitution or paragraph 22.

21. MEMBERS' CONDUCT

- 21.1 When and if the Lord Mayor stands during a debate, any Councillor speaking at the time will sit down. All Councillors must be silent.

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- 21.2 If a Member persistently disregards the ruling of the Lord Mayor by behaving improperly or offensively or deliberately obstructs business, the Lord Mayor may move that the Member is not heard further. If seconded, the motion will be voted on without discussion.
- 21.3 If the Member continues to behave improperly after such a motion is carried, the Lord Mayor may move that either the Member leave the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.
- 21.4 In the event of general disturbance which, in the opinion of the Lord Mayor renders the due and orderly despatch of business of the meeting impossible, the Lord Mayor (in addition to any other power invested in ~~her/him~~the Lord Mayor) may, without question, adjourn the meeting for such period as she/he in his or her discretion considers expedient.
- 21.5 In accordance with Rule 7.5, if Members are required to leave the meeting under Rule 21.3 their leaving the meeting will not affect the quorum.
- 21.6 Electronic devices may be switched on during the public part of meetings of the City Council.

22. DISTURBANCE BY THE PUBLIC

If a member of the public disrupts the proceedings at any meeting, the Lord Mayor will issue a warning. If the member of the public continues the interruption, the Lord Mayor will order the removal of the member of the public from the Council Chamber. In the case of general disturbance in any part of the Council Chamber open to the public, the Lord Mayor will order that part to be cleared.

23. SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

23.1 Suspension

All of these Council Rules of Procedure except Rules 18.5, 18.6 and 23.1 may be suspended by motion on notice or without notice. Suspension can only be for the duration of the meeting.

23.2 Amendment

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

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24. APPLICATION OF COUNCIL PROCEDURE RULES TO OTHER BODIES

These rules where they can be appropriately applied, apply to all formal meetings of bodies of the Council. These rules will not apply where the specific rules of procedure relating to any such body already make provision for the activity to be undertaken and/or procedure to be followed at meetings of that body.

25. COMMON SEAL OF THE COUNCIL

The Common Seal of the Council will be kept in a safe place in the custody of the City Solicitor. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the City Solicitor should be sealed. The Common Seal will be attested by the signature (including the facsimile of the signature by whatever process reproduced) of the City Solicitor or some other person authorised to do so by him/her. A record of the attestation will be kept in a book to be provided for that purpose of every deed and other documents which the common seal has been affixed.

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Annex 1



